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TULLIUS

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DIVINATIO AND IN ...

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OXFORD

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1899

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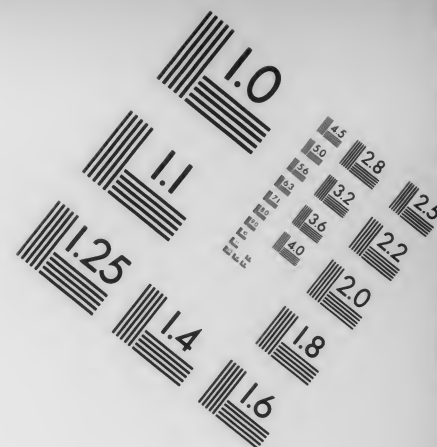
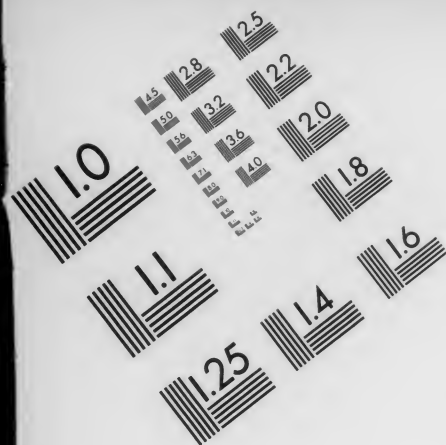


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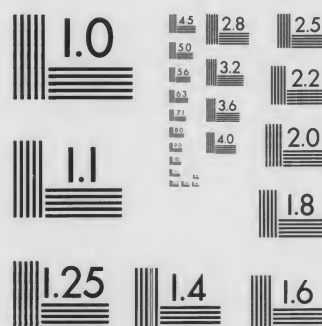
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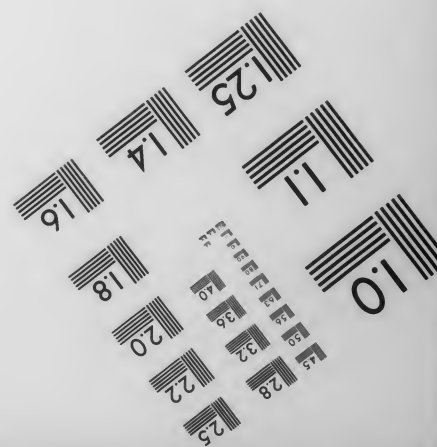
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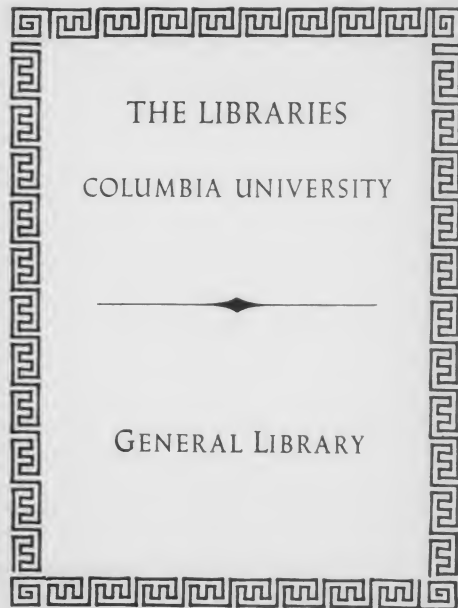
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Clarendon Press Series

CICERO

IN Q. CAECILIUM DIVINATIO

AND

IN C. VERREM ACTIO PRIMA

EDITED

*WITH INTRODUCTION AND NOTES*

BY

JOHN R. KING, M.A.

FELLOW OF ORIEL COLLEGE, OXFORD

PART I.—INTRODUCTION AND TEXT

Oxford

AT THE CLARENDON PRESS

1899



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HENRY FROWDE, M.A.  
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LONDON, EDINBURGH, AND NEW YORK

PREFACE.

THE Text of these Orations is taken from the edition of Cicero's works by Baier and Kayser, with a few modifications of spelling and punctuation. Varieties of reading are very slightly dwelt upon in the notes, which are devoted mainly to explanation and illustration. In the commentary on the Divinatio in Q. Caecilius considerable help has been obtained from the German edition of Karl Halm, Berlin, 1882. Grammatical references are made exclusively to Madvig's Latin Grammar.

OXFORD:  
*July*, 1887.

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## PRINCIPAL EVENTS IN THE LIFE OF CICERO.

B.C.

106. Birth of Cicero at Arpinum, Jan. 3.
91. Cicero assumed the 'toga virilis.'
81. Cicero delivered his first oration, *pro P. Quinctio*.
79. Cicero went to study philosophy and rhetoric at Athens.
77. Marriage of Cicero to Terentia.
75. Cicero quaestor in Sicily.
70. Action against Gaius Verres.
69. Cicero aedile.
66. Cicero praetor. Speech *de Imperio Cn. Pompeii*.
64. Marriage of Tullia to C. Piso.
63. Cicero consul. Catiline conspiracy.
61. Trial of A. Licinius Archias.
58. Cicero exiled.
57. His recall from exile.
56. Second marriage of Tullia, to Furius Crassipes.
53. Cicero elected augur.
51. Cicero proconsul in Cilicia.
50. *Supplicatio* in honour of Cicero. Third marriage of Tullia to P. Cornelius Dolabella.
49. Cicero returned to Rome, but retired to Greece when Caesar crossed the Rubicon.
47. Cicero was reconciled to Caesar, and returned to Rome.
45. Marriage of Cicero to Publilia, and their divorce. Death of Tullia.
44. Death of Caesar. Cicero delivered the First, Third, and Fourth Philippic Orations, and published the Second.
43. The remaining Philippic Orations. Cicero murdered at Formiae, Dec. 7.

## INTRODUCTION

TO THE

### FIRST ACTION AGAINST GAIUS VERRES.

1. IN B.C. 73, after holding the office of *praetor urbanus*, Gaius Verres was appointed *propraetor* of Sicily, and remained in command of that province for a period of three years. He had before distinguished himself in his several stages of official rank by inordinate rapacity, combined with a disregard of the most sacred obligations, but his excesses in Sicily went far beyond his previous misdeeds. It was one of the richest Roman provinces, and he appears to have considered it simply as a field for plunder. Even the money which was placed in his hands by the state was turned to his own purposes. He embezzled the sums entrusted to him for the corn supplies. He kept his fleet undermanned and ill-provided with stores, appropriating to himself the funds intended for its maintenance; and when this led to its being defeated at Pachynus by the pirates, he put its officers to death for cowardice. In his dealings with the Sicilians, every official act was an excuse for receiving bribes; and the people generally were harassed by extortionate exactions under the name of tithes (*decumae*) due to the republic. By the end of his term of office more than half the proprietors were ruined, and their lands abandoned, in the hopelessness of withstanding such oppression. To extortion he added open robbery, laying violent hands on every kind of treasure which came under his notice throughout the island, and especially on any works of art, not sparing even the temples of the gods. Nor were the persons of the inhabitants more respected. His profligacy and cruelty were alike

unscrupulous, and one Roman citizen, named Gavius, who ventured to threaten him with prosecution, he actually crucified.

2. At the close of his administration the leading Sicilians determined to prosecute him for extortion (*de pecuniis repetundis*), and invited Cicero to plead their cause. He had been *quaestor* at Lilybaeum in B.C. 75, and had won the esteem and confidence of the Sicilians by his disinterested honesty. But in a trial of this kind the appointment of the prosecutor rested with the court, and the first device which Verres tried was to obtain a prosecutor who would bring about his acquittal by wilfully mismanaging the case. Such an arrangement was not uncommon at Rome, and was called *praevaricatio*, the collusive accuser being *praevaricator*. Verres accordingly put forward one of his satellites, Q. Caecilius Niger, as a candidate for the post, and the first step in the legal proceedings was the decision between the rival claims of Caecilius and Cicero. This preliminary process was called *Divinatio*, and in the course of it Cicero delivered the first speech of the Verrine series, commonly known as *Divinatio* in Q. Caecilium, the result being a decision in his favour.

3. Verres now saw that his only hope of safety lay in corrupting the court. But the present season was not favourable for this. M'. Glabrio, the *praetor* who would try the case, though somewhat deficient in energy, was scrupulously upright; and between good fortune, and his own care in challenging the jury, Cicero had secured a panel who were not susceptible of bribes. If, on the other hand, Verres could get the trial postponed till the ensuing year, the chances would be greatly in his favour. The notoriety of his crimes would lose its freshness; it was unlikely that so incorruptible a jury would be again obtained; his advocate, Q. Hortensius, would almost certainly be consul; and it was probable the new *praetor* would also be his friend. He therefore devoted all his energies to procuring delay, and this was in the first instance made more easy by the necessity of collecting evidence against him. Cicero was allowed 110 days for this purpose, whereupon Verres immediately arranged a prosecution of some unknown senator for extortion in Achaia, whose prosecutor declared that he could be ready two days earlier. His object was that this sham trial might obtain possession of the courts, and so postpone the action against himself. Cicero

baffled this design by the energy with which he made his own preparations, so that he was back in Rome within fifty days, and the trial actually began on the 5th of August, B.C. 70.

4. But all was not yet safe. In the meantime, Q. Hortensius had been elected consul, with Q. Metellus, another friend of Verres, for his colleague. M. Metellus, brother of the consul elect, was the new *praetor urbanus*, and L. Metellus, another brother, was *praetor* in Sicily. With all this influence on his side, Verres had great hopes of success, if only the trial could be protracted beyond the end of the year; and owing to the number of impending holidays, the intervening days available for the trial were ominously few. Moreover, the Metelli were already bringing their influence to bear in tampering with the Sicilian witnesses, and Cicero felt that no time was to be lost. He accordingly determined not to make a long opening address, but to proceed at once to the strongest part of his case, the examination of his witnesses. The present speech is therefore virtually an apology for adopting such a course, which was rendered absolutely necessary by the avowed intention of Verres to obtain a corrupt acquittal, and with this end in view to lengthen out the case. He warned the jury that they, as well as Verres, were on their trial at the present time. People were scandalized at the corruption of the senatorial *iudices*, as contrasted with the integrity of the knights, who had exercised the judicial functions from B.C. 123 to B.C. 81. Already proposals were on foot for giving back this privilege to its former possessors, and the transference would become inevitable, if a jury like the present one, composed of the best men whom the senate could provide, proved false to their judicial oath. Verres had great confidence in the prospects of delay, none in the justice of his case, and it was for them, by promptitude and integrity, to baffle his dishonest expectations. In full confidence of their support Cicero would postpone all comment on his case, and proceed at once to call his witnesses, after a formal statement of the indictment. This was that 'Gaius Verres, in addition to many other deeds of lust and cruelty, committed against Roman citizens and their allies, and besides many other acts of wickedness against gods and men, has in particular illegally carried off from Sicily forty million sesterces.'

5. The examination of witnesses occupied nine days, but at the end of the third day the case was so clear that Verres fled to Marseilles, and in his absence was condemned to exile and a heavy fine.

6. This ended the trial, and the remaining speeches of Cicero, five in number, were never delivered. They represent what Cicero would have said in the *Actio secunda*, after Verres had made his first reply to the charges brought against him, and were probably completed at the request of the Sicilians, in order that the public might be put in full possession of the facts. They give a detailed account of Verres' crimes, and present a picture of extortion, lust, and cruelty, which we can scarcely realise in our minds, but which, if we make some allowance for the colouring of an advocate, is probably in the main a true representation of his government.

7. The action against Verres and the prosecution of T. Munatius Plancus in B.C. 52 were the only two occasions on which Cicero undertook a public prosecution: and even in the present trial he seems to have looked on himself rather as defending the Sicilians than as prosecuting Verres.

8. The trial was before a *quaestio perpetua*, or standing commission for the trial of political or criminal offences, and the indictment was framed under the Lex Cornelia de repetundis, under which the penalty for extortion was aiae et ignis interdictio, the severest form of exile, together with pecuniary compensation to the persons wronged.

## M. TULLII CICERONIS

### IN Q. CAECILIUM ORATIO, QUAE DIVINATIO DICITUR.

1. Si quis vestrum, iudices, aut eorum, qui adsunt, forte miratur me, qui tot annos in causis iudiciisque publicis ita sim versatus, ut defenderim multos, laeserim neminem, subito nunc mutata voluntate ad accusandum descendere, is si mei consilii causam rationemque cognoverit, una et id, quod facio, 5 probabit et in hac causa profecto neminem praeponendum mihi esse actorem putabit. Cum quaestor in Sicilia fuissem, iudices, itaque ex ea provincia decessissem, ut Siculis omnibus iucundam diuturnamque memoriam quaesturae nominisque mei relinquerem, factum est uti cum summum in veteribus pa- 10 tronis multis tum non nullum etiam in me praesidium suis fortunis constitutum esse arbitrarentur: qui nunc populati atque vexati cuncti ad me publice saepe venerunt, ut suarum fortunarum omnium causam defensionemque susciperem: me saepe esse pollicitum, saepe ostendisse dicebant, si quod 15 tempus accidisset, quo tempore aliquid a me requirerent, commodis eorum me non defuturum: venisse tempus aiebant non iam ut commoda sua, sed ut vitam salutemque totius provinciae defenderem; sese iam ne deos quidem in suis urbibus ad quos confugerent habere, quod eorum simulacra 20 sanctissima C. Verres ex delubris religiosissimis sustulisset; quas res luxuries in flagitiis, crudelitas in suppliciis, avaritia in rapinis, superbia in contumeliis efficere potuisset, eas omnes

sese hoc uno praetore per triennium pertulisse: rogare et orare, ne illos supplices aspernarer, quos me incolumi nemini supplices esse oporteret.

2. Tuli graviter et acerbe, iudices, in eum me locum ad-  
 5 duci, ut aut eos homines spes falleret, qui opem a me atque  
 auxilium petissent, aut ego, qui me ad defendendos homines  
 ab ineunte adulescentia dedissem, tempore atque officio co-  
 actus ad accusandum traducerer. Dicebam eos habere ac-  
 torem Q. Caecilium, qui praesertim quaestor in sua provincia  
 10 fuisset: quo ego adiumento sperabam hanc a me posse  
 molestiam demoveri, id mihi erat adversarium maxime; nam  
 illi multo mihi hoc facilius remisissent, si istum non nossent  
 aut si iste apud eos quaestor non fuisset. Adductus sum,  
 5 iudices, officio, fide, misericordia, multorum bonorum ex-  
 15 emplo, vetere consuetudine institutoque maiorum, ut onus  
 huius laboris atque officii non ex meo, sed ex meorum ne-  
 cessariorum tempore mihi suscipiendum putarem; quo in  
 negotio tamen illa res me, iudices, consolatur, quod haec,  
 quae videtur esse accusatio mea, non potius accusatio quam  
 20 defensio est existimanda; defendo enim multos mortales,  
 multas civitates, provinciam Siciliam totam. Quam ob rem  
 quia unus mihi est accusandus, prope modum manere in  
 instituto meo videor et non omnino a defendendis hominibus  
 sublevandisque discedere. Quod si hanc causam tam ido-  
 25 neam, tam inlustrem, tam gravem non haberem, si aut hoc  
 a me Siculi non petissent aut mihi cum Siculis causa tantae  
 necessitudinis non intercederet et hoc, quod facio, me rei  
 publicae causa facere profiterer, ut homo singulari cupiditate,  
 audacia, scelere praeditus, cuius furta atque flagitia non in  
 30 Sicilia solum, sed in Achaia, Asia, Cilicia, Pamphylia, Romae  
 denique ante oculos omnium maxima turpissimaque nosse-  
 mus, me agente in iudicium vocaretur, quis tandem esset  
 qui meum factum aut consilium posset reprehendere?

7 3. Quid est, pro deum hominumque fidem, in quo ego  
 rei publicae plus hoc tempore prodesse possim? Quid est  
 quod aut populo Romano gratius esse debeat aut sociis ex-  
 terisque nationibus optatius esse possit aut saluti fortunisque  
 omnium magis accommodatum sit? Populatae, vexatae, fun-  
 5 ditus eversae provinciae, socii stipendiarii que populi Romani  
 adflicti, miseri iam non salutis spem, sed solacium exitii  
 8 quaerunt; qui iudicia manere apud ordinem senatorium  
 volunt, queruntur accusatores se idoneos non habere; qui  
 accusare possunt, iudiciorum severitatem desiderant; populus  
 10 Romanus interea, tametsi multis incommodis difficultatibus-  
 que adfectus est, tamen nihil aeque in re publica atque illam  
 veterem iudiciorum vim gravitatemque requirit: iudiciorum  
 desiderio tribunicia potestas efflagitata est; iudiciorum le-  
 vitate ordo quoque alius ad res iudicandas postulatur; iudi-  
 15 cum culpa atque dedecore etiam censorium nomen, quod  
 asperius antea populo videri solebat, id nunc poscitur, id iam  
 9 populare et plausibile factum est. In hac libidine hominum  
 nocentissimorum, in populi Romani cotidiana querimonia,  
 iudiciorum infamia, totius ordinis offensione cum hoc unum  
 20 his tot incommodis remedium esse arbitraret, ut homines  
 idonei atque integri causam rei publicae legumque susci-  
 perent, fateor me salutis omnium causa ad eam partem ac-  
 cessisse rei publicae sublevandae, quae maxime laboraret.

10 Nunc quoniam quibus rebus adductus ad causam acces-  
 25 serim demonstravi, dicendum necessario est de contentione  
 nostra, ut in constituendo accusatore quid sequi possitis  
 habeatis. Ego sic intellego, iudices: cum de pecuniis repe-  
 tundis nomen cuiuspiam deferatur, si certamen inter aliquos  
 sit cui potissimum delatio detur, haec duo in primis spectari  
 30 oportere: quem maxime velint actorem esse ei, quibus factae  
 esse dicantur iniuriae, et quem minime velit is, qui eas ini-  
 urias fecisse arguatur.

4. In hac causa, iudices, tametsi utrumque esse arbitror 11  
perspicuum, tamen de utroque dicam et de eo prius, quod  
apud vos plurimum debet valere, hoc est, de voluntate eorum,  
quibus iniuriae factae sunt; quorum causa iudicium de pe-  
5 cuniis repetundis est constitutum. Siciliam provinciam C.  
Verres per triennium depopulatus esse, Siculorum civitates  
vastasse, domos exinanisse, fana spoliasse dicitur; adsunt,  
queruntur Siculi universi; ad meam fidem, quam habent  
spectatam iam et cognitam, confugiunt; auxilium sibi per  
10 me a vobis atque a populi Romani legibus petunt; me de-  
fensorem calamitatum suarum, me ultorem iniuriarum, me  
cognitorem iuris sui, me actorem causae totius esse volu-  
erunt. Utrum, Q. Caecili, hoc dicis, me non Siculorum 12  
rogatu ad causam accedere an optimorum fidelissimorumque  
15 sociorum voluntatem apud hos gravem esse non oportere?  
Si id audebis dicere, quod C. Verres, cui te inimicum esse  
simulas, maxime existimari volt, Siculos hoc a me non pe-  
tisse, primum causam inimici tui sublevabis, de quo non  
praeiudicium, sed plane iudicium iam factum putatur, quod  
20 ita percrebruit, Siculos omnes actorem suae causae contra  
illius iniurias quaesisse: hoc si tu inimicus eius factum ne- 13  
gabis, quod ipse cui maxime haec res obstat negare non  
audet, videto ne nimium familiariter inimicitias exercere vi-  
deare. Deinde sunt testes viri clarissimi nostrae civitatis,  
25 quos omnes a me nominari non est necesse; eos, qui adsunt,  
appellabo, quos, si mentirer, testes esse impudentiae meae  
minime vellem: scit is, qui est in consilio, C. Marcellus;  
scit is, quem adesse video, Cn. Lentulus Marcellinus; quo-  
rum fide atque praesidio Siculi maxime nituntur, quod om-  
30 nino Marcellorum nomini tota illa provincia adiuncta est.  
Hi sciunt hoc non modo a me petatum esse, sed ita saepe 14  
et ita vehementer esse petatum, ut aut causa mihi susci-  
pienda fuerit aut officium necessitudinis repudiandum. Sed

quid ego his testibus utor quasi res dubia aut obscura sit?  
Adsunt homines ex tota provincia nobilissimi, praesentes vos  
orant atque obsecrant, iudices, ut in actore causae suae de-  
ligendo vestrum iudicium ab suo iudicio ne discrepet; om-  
nium civitatum totius Siciliae legationes adsunt praeter 5  
duas civitates, quarum duarum si adessent, duo crimina vel  
maxima minuerentur, quae cum eis civitatibus C. Verri com-  
15 municata sunt. At enim cur a me potissimum hoc prae-  
sidium petiverunt? Si esset dubium petissent necne, dicerem  
cur petissent; nunc vero cum id ita perspicuum sit, ut oculis 10  
iudicare possitis, nescio cur hoc mihi detrimento esse debeat,  
16 si id mihi obiciatur, me potissimum esse delectum. Verum  
id mihi non sumo, iudices, et hoc non modo in oratione mea  
non pono, sed ne in opinione quidem cuiusquam relinquo,  
me omnibus patronis esse praepositum: non ita est, sed 15  
unius cuiusque temporis, valetudinis, facultatis ad agendum  
ducta ratio est. Mea fuit semper haec in hac re voluntas  
et sententia, quemvis ut hoc mallet de eis, qui essent idonei,  
suscipere quam me; me ut mallet quam neminem.  
17 5. Reliquum est iam ut illud quaeramus, cum hoc con- 20  
stet, Siculos a me petisse, ecquid hanc rem apud vos  
animosque vestros valere oporteat, ecquid auctoritatis apud  
vos in suo iure repetundo socii populi Romani, supplices  
vestri, habere debeant: de quo quid ego plura commem-  
orem? Quasi vero dubium sit quin tota lex de pecuniis 25  
18 repetundis sociorum causa constituta sit. Nam civibus cum  
sunt ereptae pecuniae, civili fere actione et privato iure re-  
petuntur; haec lex socialis est, hoc ius nationum exterarum  
est, hanc habent arcem minus aliquanto nunc quidem muni-  
tam quam antea, verum tamen, si qua reliqua spes est, quae 30  
sociorum animos consolari possit, ea tota in hac lege posita  
est; cuius legis non modo a populo Romano, sed etiam ab  
ultimis nationibus iam pridem severi custodes requiruntur.



Quis ergo est qui neget oportere eorum arbitratu lege agi, 19  
 quorum causa lex sit constituta? Sicilia tota si una voce  
 loqueretur, hoc diceret: 'quod auri, quod argenti, quod  
 ornamentorum in meis urbibus, sedibus, delubris fuit, quod  
 5 in una quaque re beneficio senati populiue Romani iuris  
 habui, id mihi tu, C. Verres, eripuisti atque abstulisti: quo  
 nomine abs te sestertium miliens ex lege repeto.' Si universa,  
 ut dixi, provincia loqui posset, hac voce uteretur: quoniam  
 id non poterat, harum rerum actorem, quem idoneum esse  
 10 arbitrata est, ipsa delegit. In eius modi re quisquam tam 20  
 impudens reperietur qui ad alienam causam invitis eis, quo-  
 rum negotium est, accedere aut aspirare audeat?

6. Si tibi, Q. Caecili, hoc Siculi dicerent: 'te non novimus,  
 nescimus qui sis, numquam te antea vidimus, sine nos per  
 15 eum nostras fortunas defendere, cuius fides est nobis cognita,'  
 nonne id dicerent, quod cuivis probare deberent? Nunc hoc  
 dicunt, utrumque se nosse; alterum se cupere defensorem  
 esse fortunarum suarum, alterum plane nolle. Cur nolint, 21  
 etiamsi taceant, satis dicunt; verum non tacent. Tamen his  
 20 invitissimis te offeres? Tamen in aliena causa loquere?  
 Tamen eos defendes, qui se ab omnibus desertos potius quam  
 abs te defensos esse malunt? Tamen his operam tuam polli-  
 cebere, qui te neque velle sua causa nec, si cupias, posse  
 arbitrantur? Cur eorum spem exiguam reliquarum for-  
 25 tunarum, quam habent in legis et in iudicii severitate posi-  
 tam, vi extorquere conaris? Cur te interponis invitissimis  
 his, quibus maxime lex consultum esse volt? Cur de quibus  
 in provincia non optime es meritis, eos nunc plane fortunis  
 omnibus conaris evertere? Cur his non modo persequendi  
 30 iuris sui, sed etiam deplorandae calamitatis adimis potesta-  
 tem? Nam te actore quem eorum adfuturum putas, quos 22  
 intellegis non ut per te alium, sed ut per alium aliquem te  
 ipsum ulciscantur laborare?

7. At enim solum id est, ut me Siculi maxime velint;  
 alterum illud, credo, obscurum est, a quo Verres minime  
 se accusari velit. Ecquis unquam tam palam de honore,  
 tam vehementer de salute sua contendit quam ille atque  
 illius amici, ne haec mihi delatio detur? Sunt multa, quae 5  
 Verres in me esse arbitratur, quae scit in te, Q. Caecili,  
 non esse; quae cuius modi in utroque nostrum sint paulo  
 23 post commemorabo. Nunc tantum id dicam, quod tacitus  
 tu mihi adsentire: nullam rem in me esse quam ille con-  
 temnat, nullam in te quam pertimescat. Itaque magnus 10  
 ille defensor et amicus eius tibi suffragatur, me oppugnat,  
 aperte ab iudicibus petit ut tu mihi antepone, et ait hoc se  
 honeste, sine ulla invidia ac sine ulla offensione contendere.  
 'Non enim' inquit 'illud peto, quod soleo, cum vehementius  
 contendi, impetrare: reus ut absolvatur, non peto; sed ut 15  
 potius ab hoc quam ab illo accusetur, id peto: da mihi hoc;  
 concede, quod facile est, quod honestum, quod non invidio-  
 sum; quod cum dederis, sine ullo tuo periculo, sine infamia  
 24 illud dederis, ut is absolvatur, cuius ego causa laboro.' Et  
 ait idem, ut aliquis metus adiunctus sit ad gratiam, certos 20  
 esse in consilio quibus ostendi tabellas velit; id esse per-  
 facile; non enim singulos ferre sententiam, sed universos  
 constituere: ceratam uni cuique tabellam dari cera legitima,  
 non illa infami ac nefaria. Atque is non tam propter Ver-  
 rem laborat, quam quod eum minime res tota delectat; videt 25  
 enim, si a pueris nobilibus, quos adhuc elusit, si a quadru-  
 platoribus, quos non sine causa contempsit semper ac pro  
 nihilo putavit, accusandi voluntas ad viros fortes spectatosque  
 homines translata sit, sese in iudiciis diutius dominari non  
 posse. 30

25 8. Huic ego homini iam ante denuntio, si a me causam  
 hanc vos agi volueritis, rationem illi defendendi totam esse  
 mutandam et ita tamen mutandam, ut meliore et hones-

tiore condicione sit quam qua ipse volt; ut imitetur homines eos, quos ipse vidit amplissimos, L. Crassum et M. Antonium, qui nihil se arbitrabantur ad iudicia causasque amicorum praeter fidem et ingenium adferre oportere. Nihil  
 5 erit quod me agente arbitretur iudicium sine magno multorum periculo posse corrumpi: ego in hoc iudicio mihi  
 Siculorum causam receptam, populi Romani susceptam esse arbitror, ut mihi non unus homo improbus opprimendus sit, id quod Siculi petiverunt, sed omnino improbitas, id quod  
 10 populus Romanus iam diu flagitat, exstinguenda atque delenda sit. In quo quid eniti aut quid efficere possim malo in aliorum spe relinquere quam in oratione mea ponere.

Tu vero, Caecili, quid potes? Quo tempore aut qua in  
 15 re non modo ceteris specimen aliquod dedisti, sed tute tui periculum fecisti? In mentem tibi non venit quid negotii sit causam publicam sustinere, vitam alterius totam explicare atque eam non modo in animis iudicum, sed etiam in oculis conspectuque omnium exponere, sociorum salutem, com-  
 20 moda provinciarum, vim legum, gravitatem iudiciorum defendere?

9. Cognosce ex me, quoniam hoc primum tempus discendi nactus es, quam multa esse oporteat in eo, qui alterum accuset: ex quibus si unum aliquod in te cognoveris, ego  
 25 iam tibi ipse istuc, quod expetis, mea voluntate concedam: primum integritatem atque innocentiam singularem; nihil est enim quod minus ferendum sit quam rationem ab altero vitae reposcere eum, qui non possit suae reddere. Hic ego  
 de te plura non dicam; unum illud credo omnes animad-  
 30 vertere, te adhuc a nullis nisi ab Siculis potuisse cognosci; Siculos hoc dicere, cum eidem sint irati, cui tu te inimicum esse dicis, sese tamen te actore ad iudicium non adfuturos. Qua re negent ex me non audies, hos patere id suspicari,

quod necesse est. Illi quidem, ut est hominum genus nimis acutum et suspiciosum, non te ex Sicilia litteras in Verrem deportare velle arbitrantur, sed, quod eisdem litteris illius praetura et tua quaestura consignata sit, asportare te velle  
 25 ex Sicilia litteras suspicantur. Deinde accusatorem firmum  
 verumque esse oportet: eum ego si te putem cupere esse, facile intellego esse non posse. Nec ea dico, quae si dicam, tamen infirmare non possis: te, ante quam de Sicilia de-  
 cesseris, in gratiam redisse cum Verre; Potamonem scribam et familiarem tuum retentum esse a Verre in provincia, cum  
 10 tu decederes; M. Caecilium, fratrem tuum, lectissimum atque ornatissimum adolescentem, non modo non adesse neque tecum tuas iniurias persequi, sed esse cum Verre et cum illo familiarissime atque amicissime vivere. Sunt et  
 haec et alia in te falsi accusatoris signa permulta, quibus ego  
 15 nunc non utor: hoc dico, te, si maxime cupias, tamen verum  
 30 accusatorem esse non posse; video enim permulta esse crimina, quorum tibi societas cum Verre eius modi est, ut ea in accusando attingere non audeas.

10. Queritur Sicilia tota C. Verrem ab aratoribus, cum  
 frumentum sibi in cellam imperavisset et cum esset tritici modius sestertiis duobus, pro frumento in modios singulos duodenos sestertios exegisse. Magnum crimen, ingens pecunia, furtum impudens, iniuria non ferenda: ego hoc uno crimine illum condemnem necesse est: tu, Caecili, quid  
 25 facies? Utrum hoc tantum crimen praetermites an obicies? Si obicies, idne alteri crimini dabis, quod eodem tempore in eadem provincia tu ipse fecisti? Audebis ita accusare alterum, ut quo minus tute condemnere recusare non possis? Sin praetermites, qualis erit tua ista accusatio, quae do-  
 30 mestici periculi metu certissimi et maximi criminis non modo suspicionem, verum etiam mentionem ipsam pertimes-  
 32 cat? Emptum est ex senatus consulto frumentum ab Siculis



praetore Verre, pro quo frumento pecunia omnis soluta non est. Grave est hoc crimen in Verrem, grave me agente; te accusante nullum: eras enim tu quaestor; pecuniam publicam tu tractabas, ex qua, etiam si cuperet praetor, tamen ne  
 5 qua deductio fieret magna ex parte tua potestas erat. Huius quoque igitur criminis te accusante mentio nulla fiet. Silebitur toto iudicio de maximis et notissimis illius furtis et iniuriis. Mihi crede, Caecili, non potest in accusando socios vere defendere is, qui cum reo criminum societate coniunctus  
 10 est. Mancipes a civitatibus pro frumento pecuniam exegerunt. Quid? Hoc Verre praetore factum est solum? Non, sed etiam quaestore Caecilio. Quid igitur? Daturus es huic crimini quod et potuisti prohibere ne fieret et debuisti, an totum id relinques? Ergo id omnino Verres in iudicio suo  
 15 non audiet, quod cum faciebat, quem ad modum defensurus esset non reperiēbat.

11. Atque ego haec, quae in medio posita sunt, commemoro: sunt alia magis occulta furti, quae ille, ut istius, credo, animos atque impetus retardaret, benignissime cum  
 20 quaestore suo communicavit. Haec tu scis ad me esse delata; quae si velim proferre, facile omnes intellegent vobis inter vos non modo voluntatem fuisse coniunctam, sed ne praedam quidem adhuc esse divisam. Quapropter si tibi  
 25 id lege permittitur; sin autem de accusatione dicimus, concedas oportet eis, qui nullo suo peccato impediuntur quominus alterius peccata demonstrare possint. Ac vide quantum interfuturum sit inter meam atque tuam accusationem: ego etiam quae tu sine Verre commisisti Verri crimini  
 30 daturus sum, quod te non prohibuerit, cum summam ipse haberet potestatem; tu contra ne quae ille quidem fecit obicies, ne qua ex parte coniunctus cum eo reperiare.

Quid? illa, Caecili, contemnendane tibi videntur esse, sine

quibus causa sustineri, praesertim tanta, nullo modo potest? Aliqua facultas agendi, aliqua dicendi consuetudo, aliqua in foro, iudiciis, legibus aut ratio aut exercitatio? Intellego quam  
 36 scopuloso difficilique in loco verser; nam cum omnis adrogantia odiosa est tum illa ingenii atque eloquentiae multo molestissima. Quam ob rem nihil dico de meo ingenio: neque est quod possim dicere, neque, si esset, dicerem; aut enim id mihi satis est, quod est de me opinionis, quicquid est, aut, si id parum est, ego maius id commemorando facere non possum.

37 12. De te, Caecili, iam mehercule hoc extra hanc contentionem certamenque nostrum familiariter tecum loquar: tu ipse quem ad modum existimes vide etiam atque etiam et tu te conlige et quis sis et quid facere possis considera: putasne te posse de maximis acerbissimis rebus, cum causam  
 15 sociorum fortunasque provinciae, ius populi Romani gravitatemque iudicii legumque susceperis, tot res, tam graves, tam  
 38 varias voce, memoria, consilio, ingenio sustinere? Putasne te posse, quae C. Verres in quaestura, quae in legatione, quae in praetura, quae Romae, quae in Italia, quae in  
 20 Achaia, Asia Pamphyliaque peccarit, ea, quem ad modum locis temporibusque divisa sint, sic criminibus et oratione distinguere? Putasne posse, id quod in huius modi reo maxime  
 39 necessarium est, facere, ut quae ille libidinose, quae nefarie, quae crudeliter fecerit, ea aeque acerba et indigna videantur  
 esse his qui audient atque illis visa sunt qui senserunt? Magna sunt ea, quae dico, mihi crede; noli haec contemnere: dicenda, demonstranda, explicanda sunt omnia; causa non solum exponenda, sed etiam graviter copioseque agenda est; perficiendum est, si quid agere aut proficere vis, ut homines  
 30 te non solum audiant, verum etiam libenter studioseque audiant. In quo si te multum natura adiuvaret, si optimis a pueritia disciplinis atque artibus studuisses et in his elabo-

praetore Verre, pro quo frumento pecunia omnis soluta non est. Grave est hoc crimen in Verrem, grave me agente; te accusante nullum: eras enim tu quaestor; pecuniam publicam tu tractabas, ex qua, etiam si cuperet praetor, tamen ne  
 5 qua deductio fieret magna ex parte tua potestas erat. Huius quoque igitur criminis te accusante mentio nulla fiet. Silebitur toto iudicio de maximis et notissimis illius furtis et iniuriis. Mihi crede, Caecili, non potest in accusando socios vere defendere is, qui cum reo criminum societate coniunctus  
 10 est. Mancipes a civitatibus pro frumento pecuniam exege-  
 runt. Quid? Hoc Verre praetore factum est solum? Non, sed etiam quaestore Caecilio. Quid igitur? Daturus es huic crimini quod et potuisti prohibere ne fieret et debuisti, an totum id relinques? Ergo id omnino Verres in iudicio suo  
 15 non audiet, quod cum faciebat, quem ad modum defensurus esset non reperiebat.

11. Atque ego haec, quae in medio posita sunt, commemoro: sunt alia magis occulta furta, quae ille, ut istius, credo, animos atque impetus retardaret, benignissime cum  
 20 quaestore suo communicavit. Haec tu scis ad me esse delata; quae si velim proferre, facile omnes intellegent vobis inter vos non modo voluntatem fuisse coniunctam, sed ne praedam quidem adhuc esse divisam. Quapropter si tibi  
 25 indicium postulas dari, quod tecum una fecerit, concedo, si id lege permittitur; sin autem de accusatione dicimus, concedas oportet eis, qui nullo suo peccato impediuntur quo minus alterius peccata demonstrare possint. Ac vide quan-  
 30 tum interfuturum sit inter meam atque tuam accusationem: ego etiam quae tu sine Verre commisisti Verri crimini daturus sum, quod te non prohibuerit, cum summam ipse  
 haberet potestatem; tu contra ne quae ille quidem fecit obicies, ne qua ex parte coniunctus cum eo reperire.

Quid? illa, Caecili, contemnendane tibi videntur esse, sine

quibus causa sustineri, praesertim tanta, nullo modo potest? Aliqua facultas agendi, aliqua dicendi consuetudo, aliqua in foro, iudiciis, legibus aut ratio aut exercitatio? Intellego quam  
 36 scopuloso difficilique in loco verser; nam cum omnis adrogantia odiosa est tum illa ingenii atque eloquentiae multo molestissima. Quam ob rem nihil dico de meo ingenio: neque est quod possim dicere, neque, si esset, dicerem; aut enim id mihi satis est, quod est de me opinionis, quicquid est, aut, si id parum est, ego maius id commemorando facere non possum.

37 12. De te, Caecili, iam mehercule hoc extra hanc contentionem certamenque nostrum familiariter tecum loquar: tu ipse quem ad modum existimes vide etiam atque etiam et tu te conlige et quis sis et quid facere possis considera: putasne te posse de maximis acerbissimis rebus, cum causam  
 15 sociorum fortunasque provinciae, ius populi Romani gravitatemque iudicii legumque susceperis, tot res, tam graves, tam  
 38 varias voce, memoria, consilio, ingenio sustinere? Putasne te posse, quae C. Verres in quaestura, quae in legatione, quae in praetura, quae Romae, quae in Italia, quae in  
 20 Achaia, Asia Pamphyliaque peccarit, ea, quem ad modum locis temporibusque divisa sint, sic criminibus et oratione distinguere? Putasne posse, id quod in huius modi reo maxime  
 25 necessarium est, facere, ut quae ille libidinose, quae nefarie, quae crudeliter fecerit, ea aequae acerba et indigna videantur  
 39 esse his qui audient atque illis visa sunt qui senserunt? Magna sunt ea, quae dico, mihi crede; noli haec contemnere: dicenda, demonstranda, explicanda sunt omnia; causa non solum exponenda, sed etiam graviter copioseque agenda est; perficiendum est, si quid agere aut proficere vis, ut homines  
 30 te non solum audiant, verum etiam libenter studioseque audiant. In quo si te multum natura adiuvaret, si optimis a pueritia disciplinis atque artibus studuisses et in his elabo-

rases, litteras Graecas Athenis, non Lilybaei, Latinas Romae, non in Sicilia didicisses, tamen esset magnum, tantam causam, tam expectatam et diligentia consequi et memoria complecti et oratione expromere et voce ac viribus sustinere. Fortasse 40  
 5 dices: 'quid ergo? haec in te sunt omnia?' Utinam quidem essent! Verum tamen ut esse possent, magno studio mihi a pueritia est elaboratum. Quodsi ego haec propter magnitudinem rerum ac difficultatem adsequi non potui, qui in omni vita nihil aliud egi, quam longe tu te ab his rebus abesse  
 10 arbitrare, quas non modo antea numquam cogitasti, sed ne nunc quidem, cum in eas ingrederis, quae et quantae sint suspicari potes?

13. Ego, qui, sicut omnes sciunt, in foro iudicis ita 41  
 verser, ut eiusdem aetatis aut nemo aut pauci plures causas  
 15 defenderint, et qui omne tempus, quod mihi ab amicorum negotiis datur, in his studiis laboribusque consumam, quo paratior ad usum forensem promptiorque esse possim, tamen, ita mihi deos velim propitios, ut cum illius mihi temporis venit in mentem, quo die citato reo mihi dicendum sit, non  
 20 solum commoveor animo, sed etiam toto corpore perhorresco. Iam nunc mente et cogitatione prospicio, quae tum studia 42  
 hominum, qui concursus futuri sint, quantam expectationem magnitudo iudicii sit adlatura, quantam auditorum multitudinem infamia C. Verris concitatura, quantam denique audien-  
 25 tiam orationi meae improbitas illius factura sit: quae cum cogito, iam nunc timeo quidnam pro offensione hominum, qui illi inimici infensique sunt, et expectatione omnium et magnitudine rerum dignum eloqui possim: tu horum nihil metuis, 43  
 nihil cogitas, nihil laboras; si quid ex vetere aliqua oratione  
 30 IOVEM EGO OPTIMUM MAXIMUM, aut VELLEM, SI FIERI POTUISSET, IUDICES, aut aliquid eius modi ediscere potueris, praeclare te paratum in iudicium venturum arbitraris? Ac si tibi nemo responsurus esset, tamen ipsam causam, ut ego arbitror, de-

44 monstrare non posses: nunc ne illud quidem cogitas, tibi cum homine disertissimo et ad dicendum paratissimo futurum esse certamen, quicum modo disserendum, modo omni ratione pugnandum certandumque sit? Cuius ego ingenium ita laudo, ut non pertimescam, ita probo, ut me ab eo delec- 5  
 tari facilius quam decipi putem posse.

14. Numquam ille me opprimet consilio; numquam ullo artificio pervertet; numquam ingenio me suo labefactare atque infirmare conabitur; novi omnes hominis petitiones rationesque dicendi; saepe in isdem, saepe in contrariis 10  
 causis versati sumus: ita contra me ille dicet, quamvis sit ingeniosus, ut non nullum etiam de suo ingenio iudicium fieri  
 45 arbitretur. Te vero, Caecili, quem ad modum sit elusurus, quam omni ratione iactaturus, videre iam videor: quotiens ille tibi potestatem optionemque facturus sit, ut eligas utrum 15  
 velis, factum esse necne, verum esse an falsum; utrum dixeris, id contra te futurum. Qui tibi aestus, qui error, quae tenebrae, di immortales! Erunt, homini minime malo? Quid? Cum accusationis tuae membra dividere coeperit et in digitis  
 suis singulas partes causae constituere? Quid? Cum unum 20  
 quidque transigere, expedire, absolvere? Ipse profecto me-  
 46 tuere incipies, ne innocenti periculum facesseris. Quid? Cum commiserari, conqueri et ex illius invidia deonerare aliquid et in te traicere coeperit, commemorare quaestoris  
 cum praetore necessitudinem constitutam more maiorum, 25  
 sortis religionem? Poterisne eius orationis subire invidiam? Vide modo, etiam atque etiam considera: mihi enim videtur periculum fore ne ille non modo verbis te obruat, sed gestu  
 ipso ac motu corporis praestringat aciem ingenii tui teque ab  
 47 institutis tuis cogitationibusque abducat. Atque huiusce rei 30  
 iudicium iam continuo video futurum: si enim mihi hodie respondere ad haec, quae dico, potueris, si ab isto libro, quem tibi magister ludi nescio qui ex alienis orationibus

compositum dedit, verbo uno discesseris, posse te et illi quoque iudicio non deesse et causae atque officio tuo satis facere arbitror; sin mecum in hac prolusione nihil fueris, quem te in ipsa pugna cum acerrimo adversario fore putemus?

5 15. Esto: ipse nihil est, nihil potest: at venit paratus cum subscriptoribus exercitatis et disertis. Est tamen hoc aliquid, tametsi non est satis; omnibus enim rebus is, qui princeps in agendo est, ornatissimus et paratissimus esse debet. Verum tamen L. Appuleium esse video proximum  
10 subscriptorem, hominem non aetate, sed usu forensi atque exercitatione tironem. Deinde, ut opinor, habet Alienum, 48 hunc tamen ab subselliis, qui quid in dicendo posset numquam satis attendi, in clamando quidem video eum esse bene robustum atque exercitatum. In hoc spes tuae sunt  
15 omnes; hic, si tu eris actor constitutus, totum iudicium sustinebit. At ne is quidem tantum contendet in dicendo quantum potest, sed consulat laudi et existimationi tuae, et ex eo, quod ipse potest in dicendo, aliquantum remittet, ut tu tamen aliquid esse videre; ut in actoribus Graecis fieri  
20 videmus, saepe illum, qui est secundarum aut tertiarum partium, cum possit aliquanto clarius dicere quam ipse primarum, multum summittere, ut ille princeps quam maxime excellat, sic faciet Alienus: tibi serviet, tibi lenocinabitur, minus aliquanto contendet quam potest. Iam hoc con- 49  
25 siderate, cuius modi accusatores in tanto iudicio simus habituri, cum et ipse Alienus ex ea facultate, si quam habet, aliquantum detracturus sit et Caecilius tum denique se aliquid futurum putet, si Alienus minus vehemens fuerit et sibi primas in dicendo partes concesserit. Quantum quem  
30 sit habiturus non video, nisi quem forte ex illo grege moratorum, qui subscriptionem sibi postularunt, cuicumque vos delationem dedissetis; ex quibus alienissimis hominibus— 50 ita paratus venis,—tibi hospes aliquis est recipiendus; quibus

ego non sum tantum honorem habiturus, ut ad ea, quae dixerint, certo loco aut singillatim uni cuique respondeam: sic breviter, quoniam non consulto, sed casu in eorum mentionem incidi, quasi praeteriens satis faciam universis.

16. Tantane vobis inopia videor esse amicorum, ut mihi 5 non ex his, quos mecum adduxerim, sed de populo subscriptor addatur? Vobis autem tanta inopia reorum est, ut mihi causam praeripere conemini potius quam aliquos ad colum-  
51 nam Maeniam vestri ordinis reos reperiatis? 'Custodem' inquit 'Tullio me apponite.' Quid? Mihi quam multis 10 custodibus opus erit, si te semel ad meas capsas admisero? Qui non solum ne quid enunties, sed etiam ne quid auferas custodiendus sis. Sed de isto custode toto sic vobis brevissime respondebo: non esse hos tales viros commissuros, ut ad causam tantam, a me susceptam, mihi creditam, quis- 15 quam subscriptor me invito aspirare possit; etenim fides mea custodem repudiat, diligentia speculatorem reformidat.

52 Verum ut ad te, Caecili, redeam, quam multa te deficiant vides; quam multa sint in te quae reus nocens in accusatore suo cupiat esse profecto iam intellegis. Quid ad haec dici 20 potest? Non enim quaero quid tu dicturus sis: video mihi non te, sed hunc librum esse responsurum, quem monitor tuus hic tenet; qui si te recte monere volet, suadebit tibi ut hinc discedas neque mihi verbum ullum respondeas. Quid enim dices? An id quod dictitas, iniuriam tibi fecisse 25 Verrem? Arbitror; neque enim esset veri simile, cum omnibus Siculis faceret iniurias, te illi unum eximium cui consu-  
53 leret fuisse: sed ceteri Siculi ultorem suarum iniuriarum invenerunt; tu, dum tuas iniurias per te, id quod non potes, persequi conaris, id agis ut ceterorum quoque iniuriae sint 30 impunitae atque inultae; et hoc te praeterit, non id solum spectari solere qui debeat, sed etiam illud qui possit ulcisci; in quo utrumque sit, eum superiorem esse, in quo alterum,

in eo non quid is velit, sed quid facere possit quaeri solere. Quodsi ei potissimum censes permitti oportere accusandi 54 potestatem, cui maximam C. Verres iniuriam fecerit, utrum tandem censes hos iudices gravius ferre oportere, te ab illo 5 laesum an provinciam Siciliam esse vexatam ac perditam? Opinor, concedes multo hoc et esse gravius et ab omnibus ferri gravius oportere. Concede igitur ut tibi anteponatur in accusando provincia; nam provincia accusat, cum is agit causam, quem sibi illa defensorem sui iuris, ultorem 10 iniuriarum, actorem causae totius adoptavit.

17. At eam tibi C. Verres fecit iniuriam, quae ceterorum 55 quoque animos possit alieno incommode commovere. Minime. Nam id quoque ad rem pertinere arbitror, qualis iniuria dicatur, quae causa inimicitarum proferatur: cognoscite 15 ex me; nam iste eam profecto, nisi plane nihil sapit, numquam proferet. Agonis quaedam est Lilybaetana, liberta Veneris Erycinae, quae mulier ante hunc quaestorem copiosa plane et locuples fuit: ab hac praefectus Antonii quidam symphonicos servos abducebat per iniuriam, quibus se in classe 20 uti velle dicebat; tum illa, ut mos in Sicilia est omnium Veneriorum et eorum, qui a Venere se liberaverunt, ut praefecto illi religionem Veneris nomine obiceret, dixit et se et sua Veneris esse. Ubi hoc quaestori Caecilio, viro optimo et 56 homini aequissimo, nuntiatum est, vocari ad se Agonidem 25 iubet: iudicium dat statim: SI PARET EAM SE ET SUA VENERIS ESSE DIXISSE. Iudicant recuperatores id, quod necesse erat; neque enim erat aliquam dubium quin illa dixisset: iste in possessionem bonorum mulieris intrat; ipsam Veneri in servitutem adiudicat; deinde bona vendit; 30 pecuniam redigit: ita dum pauca mancipia Veneris nomine Agonis ac religione retinere volt, fortunas omnes libertatemque suam istius iniuria perdidit. Lilybaeum Verres venit postea; rem cognoscit; factum improbat; cogit quaestorem

suum pecuniam, quam ex Agonidis bonis redegisset, eam 57 mulieri omnem adnumerare et reddere. Est adhuc, id quod vos omnes admirari video, non Verres, sed Q. Mucius. Quid enim facere potuit elegantius ad hominum existimationem, aequius ad levandam mulieris calamitatem, vehementius ad 5 quaestoris libidinem coercendam? Summe haec omnia mihi videntur esse laudanda. Sed repente e vestigio ex homine tamquam aliquo Circae poculo factus est Verres; rediit ad se atque ad mores suos: nam ex illa pecunia magnam partem ad se vertit, mulieri reddidit quantulum visum est. 10

58 18. Hic tu si laesum te a Verre esse dicis, patiar et concedam; si iniuriam tibi factam quereris, defendam ad negabo. Denique de iniuria quae tibi facta sit neminem nostrum graviorem iudicem esse oportet quam te ipsum cui facta dicitur: si tu cum illo postea in gratiam redisti, si domi 15 illius aliquotiens fuisti, si ille apud te postea cenavit, utrum te perfidiosum an praevaricatorem existimari mavis? Video esse necesse alterutrum, sed ego tecum in eo non pugnabo quo 59 minus utrum velis eligas. Quod si ne iniuriae quidem, quae tibi ab illo facta sit, causa remanet, quid habes quod possis 20 dicere quam ob rem non modo mihi, sed cuiquam anteponare? nisi forte illud, quod te dicturum esse audio, quaestorem illius fuisse; quae causa gravis esset, si certares mecum uter nostrum illi amicior esse deberet: in contentione suscipiendarum inimicitarum ridiculum est putare 25 causam necessitudinis ad inferendum periculum iustam videri 60 oportere. Etenim si plurimas a praetore tuo iniurias accepisses, tamen eas ferendo maiorem laudem quam ulciscendo mererere; cum vero nullum illius in vita rectius factum sit quam id, quod tu iniuriam appellas, hi statuent hanc 30 causam, quam ne in alio quidem probarent, in te iustam ad necessitudinem violandam videri? Qui si summam iniuriam ab illo accepisti, tamen quoniam quaestor eius fuisti,

non potes eum sine ulla vituperatione accusare: si vero non ulla tibi facta est iniuria, sine scelere eum accusare non potes. Qua re cum iam actum sit de iniuria, quemquam horum esse putas qui non malit te sine vituperatione quam  
5 cum scelere discedere?

19. Ac vide quid differat inter meam opinionem ac tuam: 61  
tu cum omnibus rebus inferior sis, hac una in re te mihi  
antefferri putas oportere, quod quaestor illius fueris; ego si  
superior ceteris rebus esses, hanc unam ob causam te  
10 accusatorem repudiari putarem oportere. Sic enim a  
maioribus nostris accepimus, praetorem quaestori suo pa-  
rentis loco esse oportere; nullam neque iustiorum neque  
graviorem causam necessitudinis posse reperiri quam con-  
iunctionem sortis, quam provinciae, quam officii, quam publici  
15 muneris societatem; quam ob rem si iure posses eum ac- 62  
cusare, tamen, cum is tibi parentis numero fuisset, id pie  
facere non posses; cum vero neque iniuriam acceperis et  
praetori tuo periculum crees, fatearis necesse est te illi  
iniustum impiumque bellum inferre conari. Etenim ista  
20 quaestura ad eam rem valet, ut elaborandum tibi in ratione  
reddenda sit quam ob rem eum, cui quaestor fueris accuses,  
non ut ob eam ipsam causam postulandum sit ut tibi po-  
tissimum accusatio detur. Neque fere umquam venit in con-  
tentionem de accusando qui quaestor fuisset quin repudia-  
25 retur; itaque neque L. Philoni in C. Servilium nominis de- 63  
ferendi potestas est data neque M. Aurelio Scauro in L.  
Flaccum neque Cn. Pompeio in T. Albucium; quorum nemo  
propter indignitatem repudiatu est, sed ne libido violandae  
necessitudinis auctoritate iudicum comprobaretur. Atque ille  
30 Cn. Pompeius ita cum C. Iulio contendit, ut tu mecum;  
quaestor enim Albucii fuerat, ut tu Verris: Iulius hoc secum  
auctoritatis ad accusandum adferebat, quod, ut hoc tempore  
nos ab Siculis, sic tum ille ab Sardis rogatus ad causam ac-

cesserat. Semper haec causa plurimum valuit, semper haec  
ratio accusandi fuit honestissima, pro sociis, pro salute pro-  
vinciae, pro exterarum nationum commodis inimicitias susci-  
pere, ad periculum accedere, operam, studium, laborem  
interponere.

64 20. Etenim si probabilis est eorum causa, qui iniurias  
suas persequi volunt, qua in re dolori suo, non rei publicae  
commodis serviunt, quanto illa honestior est causa, quae  
non solum probabilis videri, sed etiam grata esse debet,  
nulla privatim accepta iniuria sociorum atque amicorum 10  
populi Romani dolore atque iniuriis commoveri? Nuper  
cum in P. Gabinium vir fortissimus et innocentissimus  
L. Piso delationem nominis postularet et contra Q. Cae-  
cilius peteret, isque se veteres inimicitias iam diu susceptas  
persequi diceret, cum auctoritas et dignitas Pisonis valebat 15  
plurimum, tum illa erat causa iustissima, quod eum sibi  
65 Achaei patronum adoptarant. Etenim cum lex ipsa de  
pecuniis repetundis sociorum atque amicorum populi Ro-  
mani patrona sit, iniquum est non eum legis iudiciiue  
actorem idoneum maxime putari, quem actorem causae suae 20  
socii defensoremque fortunarum suarum potissimum esse  
voluerunt. An quod ad commemorandum est honestius,  
id ad probandum non multo videri debet aequius? Utra  
igitur est splendidior, utra illustrior commemoratio? 'Ac-  
cusavi eum, cui quaestor fueram, quicum me sors consueta- 25  
doque maiorum, quicum me deorum hominumque iudicium  
coniunxerat?' An 'accusavi rogatu sociorum atque ami-  
corum, delectus sum ab universa provincia qui eius iura  
fortunasque defenderem?' Dubitare quisquam potest quin  
honestius sit eorum causa, apud quos quaestor fueris, quam 30  
66 eum, cuius quaestor fueris, accusare? Clarissimi viri nostrae  
civitatis temporibus optimis hoc tibi amplissimum pulcherri-  
mumque ducebant, ab hospitibus clientibusque suis, ab ex-



teris nationibus, quae in amicitiam populi Romani dicio-  
nemque essent, iniurias propulsare eorumque fortunas defen-  
dere. M. Catonem illum Sapientem, clarissimum virum et  
prudentissimum, cum multis graves inimicitias gessisse ac-  
cepimus propter Hispanorum, apud quos consul fuerat,  
iniurias. Nuper Cn. Domitium scimus M. Silano diem dixisse  
propter unius hominis Aegritomari paterni amici atque hos-  
pitis iniurias.

21. Neque enim magis animos hominum nocentium res  
umquam ulla commovit quam haec maiorum consuetudo  
longo intervallo repetita ac relata, sociorum querimoniae de-  
latae ad hominem non inertissimum, susceptae ab eo, qui  
videbatur eorum fortunas fide diligentiaque sua posse de-  
fendere. Hoc timent homines, hoc laborant, hoc institui  
atque adeo institutum referri ac renovari moleste ferunt;  
putant fore ut, si paulatim haec consuetudo serpere ac pro-  
dire coeperit, per homines honestissimos virosque fortissimos,  
non imperitos adulescentulos aut illius modi quadruplatores  
leges iudiciaque administrentur; cuius consuetudinis atque  
instituti patres maioresque nostros non paenitebat tum, cum  
P. Lentulus, is qui princeps senatus fuit, accusabat M'. Aquil-  
ium, subscriptore C. Rutilio Rufo, aut cum P. Africanus,  
homo virtute, fortuna, gloria, rebus gestis amplissimus, postea  
quam bis consul et censor fuerat, L. Cottam in iudicium  
vocabat. Iure tum florebat populi Romani nomen; iure  
auctoritas huius imperii civitatisque maiestas gravis habe-  
batur; nemo mirabatur in Africano illo, quod in me nunc,  
homine parvis opibus ac facultatibus praedito, simulant sese  
mirari, cum moleste ferunt. Quid sibi iste volt? Accusa-  
toremne se existimari, qui antea defendere consuevit, nunc  
praesertim, ea iam aetate, cum aedilitatem petat? Ego vero et  
aetatis non modo meae, sed multo etiam superioris et honoris  
amplissimi puto esse et accusare improbos et miseros calami-

tososque defendere; et profecto aut hoc remedium est aegro-  
tanti ac prope desperatae rei publicae iudiciisque corruptis et  
contaminatis paucorum vitio ac turpitudine homines ad legum  
defensionem iudiciorumque auctoritatem quam honestissimos  
et integerrimos diligentissimosque accedere, aut si ne hoc  
quidem prodesse poterit, profecto nulla umquam medicina  
his tot incommodis reperietur. Nulla salus rei publicae  
maior est quam eos, qui alterum accusant, non minus de  
laude, de honore, de fama sua quam illos, qui accusantur,  
de capite ac fortunis suis pertimescere; itaque semper ei  
diligentissime laboriosissimeque accusarunt, qui se ipsos in  
discrimen existimationis venire arbitrati sunt.

22. Quam ob rem hoc statuere, iudices, debetis, Q. Caecili-  
um, de quo nulla umquam opinio fuerit nullaque in hoc  
ipso iudicio expectatio futura sit, qui neque ut ante con-  
lectam famam conservet neque uti reliqui temporis spem  
confirmet laborat, non nimis hanc causam severe, non nimis  
adcurate, non nimis diligenter acturum; habet enim nihil  
quod in offensione deperdat; ut turpissime flagitiosissimeque  
discedat, nihil de suis veteribus ornamentis requiret. A nobis  
multos obsides habet populus Romanus, quos ut incolumis  
conservare, tueri, confirmare ac recuperare possimus, omni  
ratione erit dimicandum: habet honorem quem petimus,  
habet spem quam propositam nobis habemus, habet existi-  
mationem multo sudore, labore vigiliisque conlectam; ut si  
in hac causa nostrum officium ac diligentiam probaverimus,  
haec, quae dixi, retinere per populum Romanum incolumia  
ac salva possimus: si tantulum offensum titubatun-  
que sit, ut ea, quae singillatim ac diu conlecta sunt, uno  
tempore universa perdamus. Quapropter, iudices, vestrum  
est deligere quem existimetis facillime posse magnitu-  
dinem causae ac iudicii sustinere fide, diligentia, consilio,  
auctoritate. Vos si mihi Q. Caecilium anteposueritis, ego

me dignitate superatum non arbitrabor; populus Romanus ne tam honestam, tam severam diligentemque accusationem neque vobis placuisse neque ordini vestro placere arbitretur providete.

## M. TULLII CICERONIS

## IN C. VERREM ACTIO PRIMA.

1 1. Quod erat optandum maxime, iudices, et quod unum  
ad invidiam vestri ordinis infamiamque iudiciorum sedandam  
maxime pertinebat, id non humano consilio, sed prope divi-  
nitus datum atque oblatum vobis summo rei publicae tempore  
videtur; inveteravit enim iam opinio perniciosa rei publicae 5  
nobisque periculosa, quae non modo apud populum Romanum,  
sed etiam apud exteris nationes omnium sermone percrebruit,  
his iudiciis, quae nunc sunt, pecuniosum hominem, quamvis  
2 sit nocens, neminem posse damnari: nunc in ipso discrimine  
ordinis iudiciorumque vestrorum cum sint parati qui conti- 10  
onibus et legibus hanc invidiam senatus inflammare conentur,  
reus in iudicium adductus est C. Verres, homo vita atque  
factis omnium iam opinione damnatus, pecuniae magnitudine  
sua spe et praedicatione absolutus. Huic ego causae, iudices,  
cum summa voluntate et exspectatione populi Romani actor 15  
accessi, non ut augerem invidiam ordinis, sed ut infamiae  
communi succurrerem; adduxi enim hominem in quo recon-  
ciliare existimationem iudiciorum amissam, redire in gratiam  
cum populo Romano, satis facere exteris nationibus possetis,  
depeculatore aerarii, vexatore Asiae atque Pamphylicae, 20  
3 Siciliae; de quo si vos vere ac religiose iudicaveritis, auc-  
toritas ea, quae in vobis remanere debet, haerebit; sin istius



ingentes divitiae iudiciorum religionem veritatemque perfregerint, ego hoc tamen adsequar, ut iudicium potius rei publicae quam aut reus iudicibus aut accusator reo defuisse videatur.

5 2. Equidem ut de me confitear, iudices, cum multae mihi a C. Verre insidiae terra marique factae sint, quas partim mea diligentia devitarim, partim amicorum studio officioque reppulerim, numquam tamen neque tantum periculum mihi adire visus sum neque tanto opere pertimui, ut nunc in ipso  
10 iudicio; neque tantum me exspectatio accusationis meae concursusque tantae multitudinis, quibus ego rebus vehementissime perturbor, commovet quantum istius insidiae nefariae, quas uno tempore mihi, vobis, M'. Glabrioni, populo Romano, sociis, exteris nationibus, ordini, nomini denique senatorio  
15 facere conatur: qui ita dictitat, eis esse metuendum, qui quod ipsis solis satis esset surripuissent, se tantum eripuisse, ut id multis satis esse possit; nihil esse tam sanctum quod non violari, nihil tam munitum quod non expugnari pecunia possit. Quodsi quam audax est ad conandum, tam esset obscurus  
20 in agendo, fortasse aliqua in re nos aliquando fefellisset; verum hoc adhuc percommode cadit, quod cum incredibili eius audacia singularis stultitia coniuncta est. Nam ut apertus in corripiendis pecuniis fuit, sic in spe corrumpendi iudicii perspicua sua consilia conatusque omnibus fecit:  
25 semel ait se in vita pertimuisse, tum cum primum a me reus factus sit, quod cum e provincia recens esset invidiae et infamia non recenti, sed vetere ac diuturna flagraret, tum ad iudicium corrumpendum tempus alienum offenderet. Itaque  
30 cum ego diem inquirendi in Siciliam perexiguam postulavisssem, invenit iste qui sibi in Achaïam biduo breviorē diem postularet, non ut is idem conficeret diligentia et industria sua, quod ego meo labore et vigiliis consecutus sum: etenim ille Achaicus inquisitor ne Brundisium quidem pervenit; ego

Siciliam totam quinquaginta diebus sic obii, ut omnium populorum privatorumque litteras iniuriasque cognoscerem; ut perspicuum cuivis esse posset hominem ab isto quaesitum esse non qui reum suum adduceret, sed qui meum tempus obsideret.

7 3. Nunc homo audacissimus atque amentissimus hoc cogitat: intelligit me ita paratum atque instructum in iudicio venire, ut non modo in auribus vestris, sed in oculis omnium sua furta atque flagitia defixurus sim; videt senatores multos esse testes audaciae suae, videt multos equites  
10 Romanos, frequentes praeterea cives atque socios, quibus ipse insignes iniurias fecerit, videt etiam tot tam graves ab amicis civitatibus legationes cum publicis auctoritatibus convenisse: quae cum ita sint, usque eo de omnibus bonis male existimat, usque eo senatoria iudicia perditā profligataque  
15 esse arbitratur, ut hoc palam dictitet, non sine causa se cupidum pecuniae fuisse, quoniam in pecunia tantum praesidium experiatur esse: sese, id quod difficillimum fuerit, tempus ipsum emissee iudicii sui, quo cetera facilius emere postea posset; ut quoniam criminum vim subterfugere nullo modo  
20 poterat, procellam temporis devitaret. Quod si non modo in causa, verum in aliquo honesto praesidio aut in alicuius eloquentia aut gratia spem aliquam conlocasset, profecto non haec omnia conligeret atque aucuparetur, non usque eo despiceret contemneretque ordinem senatorium, ut arbitrato  
25 eius deligeretur ex senatu qui reus fieret, qui, dum hic quae opus essent compararet, causam interea ante eum diceret.  
30 Quibus ego rebus quid iste speret et quo animū intendat facile perspicio; quam ob rem vero se confidat aliquid proficere posse hoc praetore et hoc consilio intellegere non possum: unum illud intellego, quod populus Romanus in reiectione iudicum iudicavit, ea spe istum fuisse praeditum, ut omnem rationem salutis in pecunia constitueret; hoc

erepto praesidio, ut nullam sibi rem adiumento fore arbitretur.

4. Etenim quod est ingenium tantum, quae tanta facultas dicendi aut copia, quae istius vitam tot vitiis flagitiisque con-  
5 victam, iam pridem omnium voluntate iudicioque damnatam aliqua ex parte possit defendere? Cuius ut adulescentiae 11 maculas ignominiasque praeteream, quaestura primus gradus honoris quid aliud habet in se nisi Cn. Carbonem spoli-  
atum a quaestore suo pecunia publica nudatum et proditum  
10 consulem, desertum exercitum, relictam provinciam, sortis necessitudinem religionemque violatam? Cuius legatio exitium fuit Asiae totius et Pamphyliae; quibus in provinciis multas domos, plurimas urbes, omnia fana depopulatus est  
tum, cum in Cn. Dolabellam suum scelus illud pristinum  
15 renovavit et instauravit quaestorium, cum eum, cui et legatus et pro quaestore fuisset, et in invidiam suis maleficiis adduxit et in ipsis periculis non solum deseruit, sed etiam oppugnavit ac prodidit; cuius praetura urbana aedium sacrarum 12 fuit publicorumque operum depopulatio, simul in iure dicundo  
20 bonorum possessionumque contra omnium instituta addictio et condonatio. Iam vero omnium vitiorum suorum plurima et maxima constituit monumenta et indicia in provincia Sicilia, quam iste per triennium ita vexavit ac perdidit, ut ea restitui in antiquum statum nullo modo possit, vix autem per  
25 multos annos innocentesque praetores aliqua ex parte recreari aliquando posse videatur. Hoc praetore Siculi neque suas 13 leges neque nostra senatus consulta neque communia iura tenuerunt: tantum quisque habet in Sicilia, quantum hominis avarissimi et libidinosissimi aut imprudentiam subterfugit aut  
30 satietati superfuit.

5. Nulla res per triennium nisi ad nutum istius iudicata est, nulla res cuiusquam tam patria atque avita fuit quae non ab eo imperio istius abiudicaretur. Innumerabiles pecuniae

ex aratorum bonis novo nefarioque instituto coactae, socii fidelissimi in hostium numero existimati, cives Romani servilem in modum cruciati et necati, homines nocentissimi propter pecunias iudicio liberati, honestissimi atque integer-  
rimi absentes rei facti indicta causa damnati et eiecti, portus 5 munitissimi, maximae tutissimaeque urbes piratis praedonibusque patefactae, nautae militesque Siculorum socii nostri atque amici fame necati, classes optimae atque opportunissimae cum magna ignominia populi Romani amissae et per-  
14 ditae. Idem iste praetor monumenta antiquissima partim 10 regum locupletissimorum, quae illi ornamento urbibus esse voluerunt, partim etiam nostrorum imperatorum, quae victores civitatibus Siculis aut dederunt aut reddiderunt, spoliavit nudavitque omnia; neque hoc solum in statu is ornamentisque publicis fecit, sed etiam delubra omnia sanctissimis 15 religionibus consecrata depeculatus est, deum denique nullum Siculis qui ei paulo magis adfabre atque antiquo artificio factus videretur reliquit. In stupris vero et flagitiis nefarias eius libidines commemorare pudore deterreor; simul illorum calamitatem commemorando augere nolo, quibus 20 liberos coniugesque suas integras ab istius petulantia con-  
15 servare non licitum est. At enim haec ita commissa sunt ab isto, ut non cognita sint ab hominibus: hominem arbitror esse neminem qui nomen istius audierit quin facta quoque eius nefaria commemorare possit, ut mihi magis timendum 25 sit ne multa crimina praetermittere quam ne qua in istum fingere existimer; neque enim mihi videtur haec multitudo, quae ad audiendum convenit, cognoscere ex me causam voluisse, sed ea, quae scit, mecum recognoscere.

6. Quae cum ita sint, iste homo amens ac perditus alia 30 mecum ratione pugnat: non id agit ut alicuius eloquentiam mihi opponat, non gratia, non auctoritate cuiusquam, non potentia nititur. Simulat his se rebus confidere, sed video

quid agat, neque enim agit occultissime: proponit inania mihi nobilitatis, hoc est, hominum adrogantium nomina, qui non tam me impediunt, quod nobiles sunt, quam adiuvant, quod noti sunt. Simulat se eorum praesidio confidere, cum  
 5 interea aliud quiddam iam diu machinetur. Quam spem 16 nunc habeat in manibus et quid moliatur breviter iam, iudices, vobis exponam; sed prius ut ab initio res ab eo constituta sit, quaeso, cognoscite: ut primum e provincia rediit, redemptio est huius iudicii facta grandi pecunia. Mansit in  
 10 condicione atque pacto usque ad eum finem, dum iudices reiecti sunt; postea quam reiectio iudicum facta est, quod et in sortitione istius spem fortuna populi Romani et in reiciendis iudicibus mea diligentia istorum impudentiam vicerat, renuntiata est tota condicio. Praeclare se res habebat: 17  
 15 libelli nominum vestrorum consilii huius in manibus erant omnium, nulla nota, nullus color, nullae sordes videbantur his sententiis adlini posse, cum iste repente ex alacri atque laeto sic erat humilis atque demissus, ut non modo populo Romano, sed etiam sibi ipse condemnatus videretur.  
 20 Ecce autem repente, his diebus paucis, comitiis consularibus factis, eadem illa vetera consilia pecunia maiore repetuntur eaedemque vestrae famae fortunisque omnium insidiae per eosdem homines comparantur. Quae res primo, iudices, pertenui nobis argumento indicioque patefacta est; post  
 25 aperto suspicionis introitu ad omnia intima istorum consilia sine ullo errore pervenimus.

7. Nam ut Hortensius consul designatus domum reduce- 18 batur e campo cum maxima frequentia ac multitudine, fit obviam casu ei multitudini C. Curio, quem ego hominem  
 30 honoris potius quam contumeliae causa nominatum volo: etenim ea dicam, quae ille si commemorari noluisset, non tanto in conventu tam aperte palamque dixisset, quae tamen  
 a me pedetemptim cauteque dicentur, ut et amicitiae nostrae

19 et dignitatis illius habita ratio esse intellegatur. Videt ad ipsum fornicem Fabianum in turba Verrem; appellat hominem et ei voce maxima gratulatur; ipsi Hortensio, qui consul erat factus, propinquis necessariisque eius, qui tum  
 5 aderant, verbum nullum facit; cum hoc consistit, hunc amplexatur, hunc iubet sine cura esse: 'renuntio' inquit 'tibi te hodiernis comitiis esse absolutum.' Quod cum tam multi homines honestissimi audissent, statim ad me deferitur: immo vero, ut quisque me viderat, narrabat. Aliis illud indignum, aliis ridiculum videbatur: ridiculum eis, qui istius causam in  
 10 testium fide, in criminum ratione, in iudicum potestate, non in comitiis consularibus positam arbitrabantur; indignum eis, qui altius aspiciebant et hanc gratulationem ad iudicium cor-  
 20 rumpendum spectare videbant. Etenim sic ratiocinabantur, sic honestissimi homines inter se et mecum loquebantur: 15 aperte iam et perspicue nulla esse iudicia; qui reus pridie iam ipse se condemnatum putabat, is, postea quam defensor eius consul est factus, absolvitur. Quid igitur? Quod tota Sicilia, quod omnes Siculi, omnes negotiatores, omnes publicae privataeque litterae Romae sunt, nihilne id valebit? 20  
 Nihil invito consule designato. Quid, iudices non crimina, non testes, non existimationem populi Romani sequentur? Non: omnia in unius potestate ac moderatione vertentur.

8. Vere loquar, iudices: vehementer me haec res commovebat. Optimus enim quisque ita loquebatur: 'iste 25 quidem tibi eripietur, sed nos non tenebimus iudicia diutius; etenim quis poterit Verre absoluto de transferendis iudiciis  
 21 recusare?' Erat omnibus molestum; neque eos tam istius hominis perditam subita laetitia quam hominis amplissimi nova gratulatio commovebat. Cupiebam dissimulare me id moleste 30  
 30 ferre; cupiebam animi dolorem vultu tegere et taciturnitate celare. Ecce autem illis ipsis diebus, cum praetores designati sortirentur et M. Metello obtigisset, ut is de pecuniis

repetundis quaereret, nuntiatur mihi tantam isti gratulationem esse factam, ut is domum quoque pueros mitteret qui uxori suae nuntiarent. Sane ne haec quidem mihi res placebat: 22 neque tamen tanto opere quid in hac sorte metuendum mihi 5 esset intellegebam. Unum illud ex hominibus certis, ex quibus omnia comperi, reperiēbam: fiscos complures cum pecunia Siciliensi a quodam senatore ad equitem Romanum esse translatos; ex his quasi decem fiscos ad senatorem illum relictos esse comitiorum meorum nomine; divisores 10 omnium tribuum noctu ad istum vocatos. Ex quibus 23 quidam, qui se omnia mea causa debere arbitrabatur, eadem illa nocte ad me venit; demonstrat qua iste oratione usus esset; commemorasse istum quam liberaliter eos tractasset etiam antea, cum ipse praeturam petisset, et proximis con- 15 sularibus praetoriisque comitiis; deinde continuo esse pollicitum quantam vellent pecuniam, si me aedilitate deiecissent. Hic alios negasse audere, alios respondisse non putare id perfici posse; inventum tamen esse fortem amicum ex eadem familia, Q. Verrem, Romilia, ex optima divisorum 20 disciplina, patris istius discipulum atque amicum, qui HS quingentis milibus depositis id se perfecturum polliceretur, et fuisse tum non nullos qui se una facturos esse dicerent. Quae cum ita essent, sane benevolo animo me ut magno opere caverem praemonebat.

25 9. Sollicitabar rebus maximis uno atque eo perexiguo tempore: urgebant comitia, et in eis ipsis oppugnabar grandi pecunia; instabat iudicium; ei quoque negotio fisci Sicilienses minabantur. Agere quae ad iudicium pertinebant libere comitiorum metu deterrebar; petitioni toto animo ser- 30 vire propter iudicium non licebat; minari denique divisoribus ratio non erat, propterea quod eos intellegere videbam me hoc iudicio districtum atque obligatum futurum. Atque hoc 25 ipso tempore Siculis denuntiatum esse audio, primum ab

Hortensio, domum ad illum ut venirent: Siculos in eo sane liberos fuisse, qui quam ob rem arcesserentur cum intellegerent, non venisse. Interea comitia nostra, quorum iste se, ut ceterorum hoc anno comitiorum, dominum esse arbitrabatur, haberi coepta sunt. 5  
Cursare iste homo potens cum filio blando et gratioso circum tribus: paternos amicos, hoc est, divisores appellare omnes et convenire: quod cum esset intellectum et animadversum, fecit animo libentissimo populus Romanus, ut cuius divitiae me de fide deducere non 26 potuissent, ne eiusdem pecunia de honore deiceret. Postea 10 quam illa petitionis magna cura liberatus sum, animo coepi multo magis vacuo ac soluto nihil aliud nisi de iudicio agere et cogitare. Reperio, iudices, haec ab istis consilia inita et constituta, ut, quacumque posset ratione, res ita duceretur, ut apud M. Metellum praetorem causa diceretur; in eo esse 15 haec commoda: primum M. Metellum amicissimum, deinde Hortensium consulem non solum, sed etiam Q. Metellum, qui quam isti sit amicus attendite: dedit enim praerogativam suae voluntatis eius modi, ut isti pro praerogativis eam 20 reddidisse videatur; an me taciturnum tantis de rebus existimavistis et me in tanto rei publicae existimationisque meae periculo cuiquam consulturum potius quam officio et dignitati meae? Arcessit alter consul designatus Siculos; veniunt non nulli, propterea quod L. Metellus esset praetor in Sicilia: cum his ita loquitur: se consulem esse; fratrem suum 25 alterum Siciliam provinciam obtinere, alterum esse quaesiturum de pecuniis repetundis; Verri ne noceri possit multis rationibus esse provisum.

28 10. Quid est, quaeso, Metelle, iudicium corrumpere, si hoc non est? Testes, praesertim Siculos timidos homines 30 et adflictos, non solum auctoritate detertere, sed etiam consulari metu et duorum praetorum potestate? Quid faceres pro innocente homine et propinquo, cum propter hominem

perditissimum atque alienissimum de officio ac dignitate decedis et committis, ut, quod ille dictitat, alicui, qui te ignoret, verum esse videatur? Nam hoc Verrem dicere 29 aiebant, te non fato, ut ceteros ex vestra familia, sed opera sua consulem factum. Duo igitur consules et quaesitor 5 erunt ex illius voluntate; 'non solum effugiemus' inquit 'hominem in quaerendo nimium diligentem, nimium servientem populi existimationi, M'. Glabronem; accedet etiam nobis illud: iudex est M. Caesonius, conlega nostri accu- 10 satoris, homo in rebus iudicandis spectatus et cognitus, quem minime expediat esse in eo consilio, quod conemur aliqua ratione corrumpere; propterea quod iam antea, cum iudex in Iuniano consilio fuisset, turpissimum illud facinus non solum graviter tulit, sed etiam in medium protulit: hunc 15 iudicem ex Kal. Ianuariis non habebimus; Q. Manlium et Q. Cornificium, duos severissimos atque integerrimos iudices, quod tribuni plebis tum erunt, iudices non habebimus; P. Sulpicius, iudex tristis et integer, magistratum ineat oportet Nonis Decembribus, M. Crepereius ex acerrima illa 20 equestri familia et disciplina, L. Cassius ex familia cum ad ceteras res tum ad iudicandum severissima, Cn. Tremellius homo summa religione et diligentia, tres hi homines veteres tribuni militares sunt designati: ex Kal. Ianuariis non iudicabunt. Subsortiemur etiam in M. Metelli locum, quoniam 25 is huic ipsi quaestioni praefuturus est: ita secundum Kalendas Ianuarias et praetore et prope toto consilio commutato magnas accusatoris minas magnamque expectationem iudicii ad nostrum arbitrium libidinemque eludemus.' Nonae sunt 31 hodie Sextiles; hora viii convenire coepistis: hunc diem iam ne numerant quidem. Decem dies sunt ante ludos votivos, quos Cn. Pompeius facturus est: hi ludi dies quindecim auferent; deinde continuo Romani consequentur: ita prope 30 xl diebus interpositis, tum denique se ad ea, quae a nobis

dicta erunt, responsuros esse arbitrantur; deinde se ducturos et dicendo et excusando facile ad ludos Victoriae; cum his plebeios esse coniunctos, secundum quos aut nulli aut perpauci dies ad agendum futuri sunt: ita defessa ac refrigerata accusatione rem integram ad M. Metellum praetorem esse 5 venturam: quem ego hominem, si eius fidei diffusus essem, iudicem non retinuissem; nunc tamen hoc animo sum, ut eo iudice quam praetore hanc rem transigi malim et iurato suam quam iniurato aliorum tabellas committere.

11. Nunc ego, iudices, iam vos consulo quid mihi facien- 10 dum putetis; id enim consilii mihi profecto taciti dabit, quod egomet mihi necessario capiendum intellego: si utar ad dicendum meo legitimo tempore, mei laboris, industriae diligentiaeque capiam fructum et ex accusatione perficiam 15 ut nemo umquam post hominum memoriam paratior, vigilantior, compositior ad iudicium venisse videatur; sed in hac laude industriae meae reus ne elabatur summum periculum est. Quid est igitur quod fieri possit? Non obscurum, 30 opinor, neque absconditum: fructum istum laudis, qui ex perpetua oratione percipi potuit, in alia tempora reservemus: nunc hominem tabulis, testibus, privatis publicisque litteris auctoritatibusque accusemus. Res omnis mihi tecum erit, Hortensi; dicam aperte: si te mecum dicendo ac diluendis criminibus in hac causa contendere putarem, ego quoque in accusando atque in explicandis criminibus operam consume- 25 rem; nunc quoniam pugnare contra me instituisti, non tam ex tua natura quam ex istius tempore et causa malitiose, necesse est istius modi rationi aliquo consilio obsistere. Tua ratio est ut secundum binos ludos mihi respondere incipias, mea ut ante primos ludos comperendinem; ita fiet ut tua 30 ista ratio existimetur astuta, meum hoc consilium necessarium.

12. Verum illud, quod institueram dicere, mihi rem tecum

esse, huius modi est: ego cum hanc causam Siculorum rogatu recepissem idque mihi amplum et praeclarum existimassem, eos velle meae fidei diligentiaeque periculum facere, qui innocentiae abstinentiaeque fecissent, tum suscepto  
 5 negotio maius quiddam mihi proposui, in quo meam in rem publicam voluntatem populus Romanus perspicere posset; nam illud mihi nequaquam dignum industria conatuque meo  
 35 videbatur, istum a me in iudicium iam omnium iudicio condemnatum vocari, nisi ista tua intolerabilis potentia et ea  
 10 cupiditas, qua per hosce annos in quibusdam iudiciis usus es, etiam in istius hominis desperati causa interponeretur. Nunc vero, quoniam haec te omnis dominatio regnumque  
 iudiciorum tanto opere delectat et sunt homines, quos libidinis infamiaeque suae neque pudeat neque taedeat, qui quasi  
 15 de industria in odium offensionemque populi Romani intruere videantur, hoc me profiteor suscepisse magnum fortasse onus et mihi periculosissimum, verum tamen dignum in quo omnes  
 nervos aetatis industriaeque meae contenderem: quoniam  
 36 totus ordo paucorum improbitate et audacia premitur et  
 20 urgetur infamia iudiciorum, profiteor huic generi hominum me inimicum accusatorem, odiosum, adsiduum, acerbum adversarium; hoc mihi sumo, hoc mihi depono, quod agam in magistratu, quod agam ex eo loco, ex quo me populus  
 Romanus ex Kal. Ianuariis secum agere de re publica ac de  
 25 hominibus improbis voluit; hoc munus aedilitatis meae populo Romano amplissimum pulcherrimumque polliceor. Moneo, praedico, ante denuntio: qui aut deponere aut accipere aut recipere aut polliceri aut sequestres aut interpretes corrumpendi iudicii solent esse quique ad hanc rem  
 30 aut potentiam aut impudentiam suam professi sunt, abstineant in hoc iudicio manus animosque ab hoc scelere nefario.

13. Erit tum consul Hortensius cum summo imperio et potestate, ego autem aedilis, hoc est, paulo amplius quam

privatus, tamen huius modi haec res est, quam me acturum esse polliceor, ita populo Romano grata atque iucunda, ut ipse consul in hac causa prae me minus etiam, si fieri possit, quam privatus esse videatur. Omnia non modo commemorabuntur, sed etiam expositis certis rebus agentur, quae inter  
 5 decem annos, postea quam iudicia ad senatum translata sunt, in rebus iudicandis nefarie flagitioseque facta sunt. Cognoscet ex me populus Romanus quid sit quam ob rem cum equester ordo iudicaret, annos prope quinquaginta continuos, in nullo iudice equite Romano iudicante ne tenuissima  
 10 quidem suspitio acceptae pecuniae ob rem iudicandam constituta sit; quid sit quod iudiciis ad senatorium ordinem translatis sublataque populi Romani in unum quemque vestrum potestate Q. Calidius damnatus dixerit minoris HS triciens praetorium hominem honeste non posse damnari;  
 15 quid sit quod P. Septimio senatore damnato, Q. Hortensio praetore, de pecuniis repetundis lis aestimata sit eo nomine, quod ille ob rem iudicandam pecuniam accepisset; quod in  
 39 C. Herennio, quod in C. Popilio, senatoribus, qui ambo peculatus damnati sunt, quod in M. Atilio, qui de maiestate  
 20 damnatus est, hoc planum factum sit, eos pecuniam ob rem iudicandam accepisse; quod inventi sint senatores, qui C. Verre praetore urbano sortiente exirent in eum reum, quem incognita causa condemnarent; quod inventus sit  
 senator, qui cum iudex esset, in eodem iudicio et ab reo  
 25 pecuniam acciperet quam iudicibus divideret et ab accusatore ut reum condemnaret. Iam vero quo modo ego illam labem, ignominiam calamitatemque totius ordinis conquerar, hoc factum esse in hac civitate, cum senatorius ordo iudicaret, ut discoloribus signis iuratorum hominum sententiae  
 30 notarentur? Haec omnia me diligenter severeque acturum esse polliceor.

14. Quo me tandem animo fore putatis, si quid in hoc



ipso iudicio intellexero simili aliqua ratione esse violatum atque commissum? Cum planum facere multis testibus possim C. Verrem in Sicilia multis audientibus saepe dixisse, se habere hominem potentem, cuius fiducia provinciam spoliaret; neque sibi soli pecuniam quaerere, sed ita triennium illud praeturae Siciliensis distributum habere, ut secum praeclare agi diceret, si unius anni quaestum in rem suam converteret, alterum patronis et defensoribus traderet, tertium illum uberrimum quaestuosissimumque annum totum iudicibus reservaret. Ex quo mihi venit in mentem illud dicere, quod apud M'. Glabronem nuper cum in reiciundis iudiciis commemorassem, intellexi vehementer populum Romanum commoveri, me arbitrari fore uti nationes exterae legatos ad populum Romanum mitterent, ut lex de pecuniis repetundis iudiciumque tolleretur: si enim iudicia nulla sint, tantum unum quemque ablaturum putant, quantum sibi ac liberis suis satis esse arbitretur; nunc, quod eius modi iudicia sint, tantum unum quemque auferre, quantum sibi, patronis, advocatis, praetori, iudicibus satis futurum sit; hoc profecto infinitum esse: se avarissimi hominis cupiditati satis facere posse, nocentissimi victoriae non posse. O commemoranda iudicia praeclaramque existimationem nostri ordinis, cum socii populi Romani iudicia de pecuniis repetundis fieri nolunt, quae a maioribus nostris sociorum causa comparata sunt! an iste umquam de se bonam spem habuisset, nisi de vobis malam opinionem animo imbibisset? quo maiore etiam, si fieri potest, apud vos odio esse debet, quam est apud populum Romanum, cum in avaritia, scelere, periurio vos sui similes esse arbitretur.

15. Cui loco, per deos immortales, iudices, consulite ac providete. Moneo praedicoque id, quod intellego, tempus hoc vobis divinitus datum esse, ut odio, invidia, infamia, turpitudine totum ordinem liberetis. Nulla in iudiciis severitas,

nulla religio, nulla denique iam existimantur esse iudicia; itaque a populo Romano contemnimur, despicimur; gravi diuturnaue iam flagramus infamia. Neque enim ullam aliam ob causam populus Romanus tribuniciam potestatem tanto studio requisivit, quam cum poscebat, verbo illam poscere videbatur, re vera iudicia poscebat; neque hoc Q. Catulum hominem sapientissimum atque amplissimum fugit, qui Cn. Pompeio viro fortissimo et clarissimo de tribunicia potestate referente cum esset sententiam rogatus, hoc initio est summa cum auctoritate usus: patres conscriptos iudicia male et flagitiose tueri; quod si in rebus iudicandis populi Romani existimationi satis facere voluissent, non tanto opere homines fuisse tribuniciam potestatem desideraturos. Ipse denique Cn. Pompeius cum primum contionem ad urbem consul designatus habuit, ubi id quod maxime exspectari videbatur, ostendit se tribuniciam potestatem restitutum, factus est in eo strepitus et grata contionis admurmuratio. Idem in eadem contione cum dixisset populas vexatasque esse provincias, iudicia autem turpia ac flagitiosa fieri; ei rei se providere ac consulere velle, tum vero non strepitu, sed maximo clamore suam populus Romanus significavit voluntatem.

16. Nunc autem homines in speculis sunt, observant quem ad modum sese unus quisque nostrum gerat in retinenda religione conservandisque legibus. Vident adhuc post legem tribuniciam unum senatorem hominem vel tenuissimum esse damnatum: quod tametsi non reprehendunt, tamen magno opere quod laudent non habent; nulla est enim laus ibi esse integrum, ubi nemo est qui aut possit aut conetur corrumpere: hoc est iudicium, in quo vos de reo, populus Romanus de vobis iudicabit; in hoc homine statuatur, possitne senatoribus iudicantibus homo nocentissimus pecuniosissimusque damnari; deinde est eius modi reus in

quo homine nihil sit praeter summa peccata maximamque pecuniam, ut, si liberatus sit, nulla alia suspitio nisi ea quae turpissima est residere possit. Non gratia, non cognatione, non aliis recte factis, non denique aliquo mediocri vitio tot  
 5 tantaque eius vitia sublevata esse videbuntur. Postremo ego 48 causam sic agam, iudices, eius modi res, ita notas, ita testatas, ita magnas, ita manifestas proferam, ut nemo a vobis ut istum absolvatis per gratiam conetur contendere. Habeo autem certam viam atque rationem, qua omnes illorum  
 10 conatus investigare et consequi possim; ita res a me agetur, ut in eorum consiliis omnibus non modo aures hominum, sed etiam oculi populi Romani interesse videantur. Vos 49 aliquot iam per annos conceptam huic ordini turpitudinem atque infamiam delere ac tollere potestis: constat inter omnes  
 15 post haec constituta iudicia, quibus nunc utimur, nullum hoc splendore atque hac dignitate consilium fuisse. Hic si quid erit offensum, omnes homines non iam ex eodem ordine alios magis idoneos, quod fieri non potest, sed alium omnino ordinem ad res iudicandas quaerendum arbitrabuntur.  
 20 17. Quapropter primum ab dis immortalibus, quod sperare 50 mihi videor, hoc idem, iudices, opto, ut in hoc iudicio nemo improbus praeter eum, qui iam pridem inventus est, reperiat, deinde si plures improbi fuerint, hoc vobis, hoc populo Romano, iudices, confirmo, vitam mehercule mihi prius  
 25 quam vim perseverantiamque ad illorum improbitatem persequendam defuturam.

Verum quod ego laboribus, periculis inimicitiisque meis 51 tum, cum admissum erit, dedecus severe me persecuturum esse polliceor, id ne accadat, tu tua auctoritate, sapientia, diligentia, M'. Glabrio, potes providere. Suscipe causam iudiciorum, suscipe causam veritatis, integritatis, fidei, religionis, suscipe causam senatus, ut is hoc iudicio probatus cum populo Romano et in laude et in gratia esse possit. Cogita,

qui sis, quo loco sis, quid dare populo Romano, quid reddere maioribus tuis debeas: fac tibi paternae legis Aciliae veniat in mentem, qua lege populus Romanus de pecuniis repetundis optimis iudiciis severissimisque iudicibus usus est.  
 52 Circumstant te summae auctoritates, quae te oblivisci laudis 5 domesticae non sinant, quae te noctes diesque commoneant fortissimum tibi patrem, sapientissimum avum, gravissimum socerum fuisse. Qua re si Glabronis patris vim et acrimoniam ceperis ad resistendum hominibus audacissimis, si avi Scaevolae prudentiam ad prospiciendas insidias, quae 10 tuae atque horum famae comparantur, si soceri Scauri constantiam, ut ne quis te de vera et certa possit sententia demovere, intellet populus Romanus integerrimo atque honestissimo praetore delectoque consilio nocenti reo magnitudinem pecuniae plus habuisse momenti ad suspicionem 15 criminis quam ad rationem salutis.  
 53 Mihi certum est non committere, ut in hac causa praetor nobis consiliumque mutetur. Non patiar rem in id tempus adduci, ut, quos adhuc servi designatorum consulum non moverunt, cum eos novo exemplo universos arcesserent, 20 eos tum lictores consulum vocent: ut homines miseri, antea socii atque amici populi Romani, nunc servi ac supplices, non modo ius suum fortunasque omnes eorum imperio amittant, verum etiam deplorandi iuris sui potestatem non  
 54 habeant. Non sinam profecto, causa a me perorata, quad- 25 raginta diebus interpositis, tum nobis denique responderi, cum accusatio nostra in oblivionem diuturnitate adducta sit; non committam ut tum haec res iudicetur, cum haec frequentia totius Italiae Roma discesserit, quae convenit uno tempore undique comitiorum, ludorum censendique causa. 30 Huius iudicii et laudis fructum et offensionis periculum vestrum, laborem sollicitudinemque nostram, scientiam quid agatur memoriamque quid a quoque dictum sit omnium puto



esse oportere. Faciam hoc non novum, sed ab eis, qui  
 nunc principes nostrae civitatis sunt, ante factum, ut testibus  
 utar statim: illud a me novum, iudices, cognoscetis, quod  
 ita testes constituam, ut crimen totum explicem, ut ubi id  
 5 argumentis atque oratione firmavero, tum testes ad crimen  
 adcommodem, ut nihil inter illam usitatam accusationem  
 atque hanc novam intersit, nisi quod in illa tunc, cum  
 omnia dicta sunt, testes dantur, hic in singulas res dabuntur,  
 ut illis quoque eadem interrogandi facultas, argumentandi  
 10 dicendique sit. Si quis erit qui perpetuam orationem accu-  
 sationemque desideret, altera actione audiet; nunc id,  
 quod facimus—ea ratione facimus, ut malitiae illorum con-  
 silio nostro occurramus—necessario fieri intellegat. Haec 56  
 primae actionis erit accusatio: dicimus C. Verrem, cum  
 15 multa libidinose, multa crudeliter in cives Romanos atque in  
 socios, multa in deos hominesque nefarie fecerit, tum praeter-  
 erea quadringentiens sestertium ex Sicilia contra leges  
 abstulisse: hoc testibus, hoc tabulis privatis publicisque auc-  
 toritatibus ita vobis planum faciemus, ut hoc statuatis, etiam  
 20 si spatium ad dicendum nostro commodo vacuosque dies  
 habuissemus, tamen oratione longa nihil opus fuisse. Dixi.

C I C E R O  
 IN Q. CAECILIUM DIVINATIO  
 AND  
 IN C. VERREM ACTIO PRIMA

EDITED  
 WITH INTRODUCTION AND NOTES

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## NOTES.

### THE DIVINATIO AGAINST QUINTUS CAECILIUS.

cc. 1-3. Cicero explains his desire to undertake the present prosecution, in spite of his habitual practice of only accepting briefs for the defence of accused persons, by his close connexion with the Sicilians, who had been so grievously plundered and outraged by Verres. He was sacrificing his own personal inclinations to the interests of those to whom he was bound by the closest ties; and really not abandoning his principles, as he was rather defending the oppressed Sicilians than attacking their oppressor. And it was no time for an honest man to shrink from such a duty, when amid the general corruption it was daily becoming more difficult for citizens and provincials alike to obtain the protection which they had a right to look for in the administration of the laws.

Page 1, line 2. *Tot annos.* It was now eleven years since Cicero delivered his first oration, pro P. Quintio.

l. 3. *Ut defenderim . . laeserim.* These tenses are strictly perfect in their meaning, 'that I have throughout my whole career defended many prisoners, and never been the cause of harm to any.' Cicero maintained this course of action all through his life, the only other person whom he was induced to prosecute being T. Munatius Plancus, who was tried in B.C. 52 for taking part in the riots consequent on the death of P. Clodius.

l. 4. *Descendere*, that is 'ad Forum,' where the law courts were situated, the Forum lying in a valley between the Capitol, the Palatine, and the Aventine; cp. pro Cluent. 4, 10: 'Quod . . ad accusandum descenderit.' Halm unnecessarily understands it of lowering himself to work which was inconsistent with his dignity.

l. 7. *Actorem*, 'as prosecutor,' the word being more commonly used of the person bringing the action than of the counsel whom he employed.

*Quaestor.* This was the first public office which Cicero held, in B.C. 75. As quaestor at Lilybaeum, he would only have official relations with the eastern part of the island, so that in the words 'Siculis omnibus,' below, there is oratorical exaggeration.

l. 8. *Decessissem*. This is the technical word for a magistrate leaving his province at the expiration of his term of office.

l. 10. *Factum est uti, &c.* 'The result was that they considered themselves to have secured for their fortunes not only the most valuable protection from their many former patrons, but also some slight additional support from me.' In c. 4 Cicero mentions especially the family of the Marcelli as hereditary benefactors of the Sicilians. The mention of these former patrons is introduced by Cicero out of modesty.

l. 13. *Publice*, 'as representing the state.'

l. 15. *Si quod tempus accidisset*, 'on any occasion arising'; the word '*accido*' conveying, as usual, the idea of disaster.

l. 17. *Eorum*. Though the pronoun refers to the subject of the principal verb, '*dicebant*,' yet as the quotation is from what Cicero had said to them, the demonstrative is used rather than the reflexive '*suis*.'

l. 22. *Luxuries in flagitiis*, 'extravagance in his profligacy'; '*flagitia*' being especially such misdeeds as occasion scandal.

P. 2, l. 1. *Hoc uno praetore*; the accumulation of offences being such as might commonly have been sufficient for a series of governors. And the misfortune of having such a man over them as Verres was intensified by the unusual prolongation of his term of office from one year to three, B.C. 73-71.

l. 4. *In eum me locum adduci*, 'that I am brought into such a position,' 'placed in such a dilemma.'

l. 6. *Ad defendendos homines*. '*Dare se*,' 'to devote oneself,' is not uncommonly followed in Cicero by '*ad*'; generally, as here, with the gerundive construction, but sometimes with a simple substantive. So Fam. 13. 1, 4: '*Velim . . des te ad lenitatem*.'

l. 7. *Tempore atque officio*, 'by stress of circumstance and by the obligations of friendship.'

l. 8. *Traducerer*, 'should be transferred.'

l. 9. *Qui praesertim*. '*Praesertim*' here, as very commonly in Cicero, emphasizes not any words actually occurring in the sentence, but some thought suggested by them. 'They had a prosecutor in Q. Caecilius (a man especially fit for the office), as he had been quaestor in the defendant's own province.'

*In sua provincia*. This use of '*suis*,' rather than '*ipsius*,' referring to a person who is not the subject of the sentence, with the emphatic meaning of 'own,' 'peculiar,' is not infrequent, more especially in colloquial or epistolary Latin, and it seems to prove that there is nothing essentially reflexive in the pronoun, any more than in its Greek equivalent *σφέ, σφέρεpos*.

l. 12. *Remisissent*, 'would have excused me from this duty,' the word implying that the Sicilians had a claim on the services of Cicero.

*Istum*, 'the man before you,' 'my opponent'; and so commonly, as throughout the speech against Gaius Verres, 'the defendant.'

l. 14. *Officio . . officii*. '*Officium*' comprises in itself the double notion of an obligation to perform a service, and the service performed from a sense of this obligation. Hence '*officio*' is 'by my obligations to the Sicilians,' '*officii*' the burden 'of this service.'

l. 16. *Ex meo . . tempore*, 'from consideration of my own interests,' which was what influenced Caecilius.

l. 18. *Tamen*, 'though I am going against my rules'; see on § 1.

l. 24. *Tam idoneam*, 'so consonant with my established practice.'

l. 26. *Causa tantae necessitudinis*, 'the apology of my close connexion.'

l. 29. *Scelere*, 'wickedness,' in the abstract, as the word is not infrequently used by Cicero, though apparently only when joined with other abstract nouns, especially with '*audacia*' and '*perfidia*.' Otherwise it means some particular offence.

l. 30. *Achaia, Asia, &c.*, meaning in each case the Roman province of the name. Achaia included the whole of Peloponnese, with the greater part of Hellas proper; Asia only Phrygia, Mysia, Caria, and Lydia; while Pamphylia was, more strictly speaking, included with Lycaonia and Pisidia in the province of Cilicia. For the misconduct of Verres in Asia Minor, see Verr. Act. 1. c. 4, notes.

P. 3, l. 1. *Pro . . fidem*. '*Pro*' (less correctly '*Proh*') appears to be commonly used with the nominative of persons (*pro Dii immortales*); with the accusative, as here, of attributes.

l. 3. *Sociis exterisque nationibus*. Halm points out that by '*socii*' are here meant the free citizens of the Roman provinces, by '*exterae nationes*' the subject tribes, who paid tribute; the '*stipendiarii*' of the next clause; in which again the '*provinciae*' are distinguished from '*socii*' as the districts from their citizens.

l. 7. *Non salutis, &c.*, 'not the hope of maintaining their prosperity, but the consolation in their ruin that they should obtain satisfaction from their oppressor.'

l. 8. *Manere, &c.* In the later times of the republic the right of serving on the jury in the courts of law (*iudicium*) was a continual subject of contention. Till B.C. 123 senators alone had been eligible for the office. It was then transferred to the '*equites*' by the Lex Sempronia of Tiberius Gracchus. Sulla in B.C. 81 restored it to the senators by a Lex Cornelia, but their venality, as contrasted with the uprightness of the '*equites*,' soon gave rise to serious complaints; and during the present trial Cicero frequently warns the jury that they are on their trial as well as Verres, and that on their behaviour depends in no small degree the question whether this privilege of the

senate should be maintained. At the very time of the trial a law of L. Aurelius Cotta (Lex Aurelia) was under discussion, and in the course of the year it was passed through the influence of Pompey, and gave the 'iudicium' in equal portions to the senators, 'equites,' and 'tribuni aerarii.'

l. 11. *Incommodis difficultatibusque*, arising from the constitutional changes and proscriptions of Sulla.

l. 13. *Requirat*, 'calls for the restoration of': in order that things may be restored to the sound condition they were in before the changes made by Sulla.

l. 14. *Tribunicia potestas*. Sulla had seriously curtailed the power of the tribunes of the commons; depriving them of their *veto* in the senate, and of their right of proposing measures in the Comitia Tributa. This was found to be an especial grievance, as preventing them from bringing forward proposals for punishing those who had been guilty of misconduct as magistrates or on the judicial bench, and one of Pompey's first measures during his consulship in this present year was to reinstate the tribunes in their former privileges.

l. 15. *Ordo alius*, 'a body of another rank,' with evident reference to the 'equites.'

l. 18. *Censorium nomen*. The Censorship had also fallen into disuse, though not formally abolished, since the time of Sulla, and the Censors L. Gellius Poplicola and Cn. Cornelius Lentulus, whom Pompey caused to be appointed, were the first who had held office since B.C. 86.

*Plausibile*, 'acceptable,' a rare word, only found again before the silver age in Tusc. Disp. 3, 51.

l. 20. *Offensione*, 'evil reputation.'

l. 22. *Idonei atque integri*, 'competent and incorruptible.'

l. 24. *Sublevandae*, though found in the MSS., is scarcely a tenable reading, and seems to have arisen from confusing 'ad eam partem reipublicae sublevandam, quae maxime laboravit,' 'to have come forward to relieve that part of the state which was most in trouble,' with 'ad partes accessisse reipublicae sublevandae,' 'to have assumed the function of relieving the state.' The true reading is probably 'sublevandam,' as conjectured by Ursini in 1580.

cc. 3, 4. In such trials it was necessary to consider not only what counsel the complainants most wished to have on their side, but whom the defendant least wished to have against him. The first point was clear beyond all dispute. It was matter of common notoriety that the Sicilians wished that Cicero should conduct their cause; it was attested by witnesses of the highest credit; and by the prayers of eminent Sicilians

who were present. And in the absence of better qualified persons, Cicero could not resist the appeal thus made to him.

l. 26. *De contentione nostra*, 'about the point at issue,' the selection of a counsel for the prosecution.

l. 27. *Quid sequi possitis*, 'something to direct your line of action.'

l. 28. *Ego sic intellego*, 'my view of the case is this.' With these words begins the formal argument of the case.

*De pecuniis repetundis*, literally 'in an action to recover money unlawfully received,' and so practically 'in a trial for unlawfully receiving money.' The offences most commonly brought into court under this head were extortion and oppressive government; but many others were included under it, as for instance the receipt of bribes by a juryman to influence his verdict. See pro Cluent. 37, 104.

l. 29. *Nomen . . . deferatur*. The expression 'deferre nomen' seems to be applied, here and elsewhere, to two distinct stages in a criminal trial: 1. to the information laid against a man before the praetor, on which the application for leave to bring the matter into court (*postulatio*) was founded; and 2. the formal indictment of the prisoner (*delatio*) by the counsel for the prosecution. In cases like the present the *divinatio*, to decide who should hold this position, would naturally intervene between these two stages.

Page 4, l. 4. *Iudicium . . . est constitutum*, i.e. the whole system of trials for extortion, not this particular case. So c. 5, 17: 'Quasi vero dubium sit quin tota lex de pecuniis repetundis sociorum causa constituta sit.'

l. 5. *C. Verres . . . dicitur*. The personal construction is usual in Latin, where we should rather use the impersonal: 'It is alleged that Gaius Verres.'

l. 8. *Meam fidem*, 'the help for which they have a claim on me.'

*Habent spectatam*. The auxiliary force of 'habeo,' exactly equivalent to our use of 'have,' 'they have tested,' is to be noticed. It is especially frequent in the expression 'habere cognitum.'

l. 12. *Cognitorem iuris sui*, 'the representative of their rights.' The Sicilians, not being Roman citizens, could not bring their own case into a Roman court, but were obliged to act through an attorney, or agent, even in a criminal prosecution. The term *cognitor* is said by Asconius to be applied to a man who defends another in a court of law 'si praesentis causam novit et sic tuetur ut suam,' as opposed to 'procurator,' who acts for another in his absence.

l. 16. *Si id audebis*. Cicero's argument is that if Caecilius maintained that the Sicilians had not asked him to plead their cause, he would be too openly playing into the hands of Verres, against whom this public application on their part had been telling seriously.

l. 19. *Non praedudicium*, 'not an implied condemnation, arising out of the verdict in another trial which more or less bears upon the present one, but an actual decision passed upon the merits of this very case.' 'Praedudicium' is strictly a previous decision in a court of law, which virtually determines the point at issue in any given trial. Cp. Verr. Act. 2. 3. 65, 152: 'Non impetrat . . . praedudicium se de capite C. Verris per hoc iudicium nolle fieri.'

l. 20. *Actorem suae causae*, 'some one to plead their cause.' Orelli has the obvious but unnecessary emendation 'actorem *me*,' but the notorious fact that all the Sicilians had combined in seeking an advocate, whoever he might be, was enough to condemn Verres in itself, especially if, as Cicero elsewhere tells us (Verr. Act. 2. 2. 3, 9), such a proceeding was entirely without precedent.

l. 23. *Nimium familiariter*, 'too much on the footing of a friend.'

l. 27. *In consilio*, 'on the judicial bench,' the 'iudices' being looked upon as advisers to the presiding judge.

C. Marcellus had been propraetor in Sicily in B.C. 79, and by the excellence of his administration had raised the island from a state of the deepest distress to great prosperity.

Cn. Lentulus Marcellinus. The name Marcellinus is remarkable, pointing in the first instance to the adoption of a Marcellus into the family of the Lentuli. But it was usual in such cases for the person adopted to assume the full name of his adoptive father, with a cognomen formed from his own gentile, not from his family name. Thus a Claudius Marcellus adopted by P. Cornelius Lentulus would in ordinary course have been called P. Cornelius Lentulus Claudianus. In the present instance a modification of the family name seems to have been retained in preference, because there was already a Cn. Cornelius Lentulus Clodianus, adopted out of the patrician Claudian gens. But a further peculiarity in this case is that the name Marcellinus became hereditary, this man being the son of the man adopted by P. Lentulus, and leaving a son again behind him of the name. He was consul in B.C. 56. So far as can be traced, he was no relation of the C. Marcellus mentioned just above.

l. 29. *Maxime nituntur*. The cordial relations between Sicily and the Marcelli began with M. Claudius Marcellus, who took Syracuse in B.C. 412. Although he had behaved with great harshness both during the war and after the fall of Syracuse, yet with somewhat discreditable servility the Syracusans placed their city under the patronage of his family, and instituted a festival, the Marcellaea, which was renewed in honour of the Gaius Marcellus mentioned above.

l. 33. *Officium necessitudinis*, 'the obligations involved in the relations which exist between us.'

P. 5, l. 3. *Ut . . . ne*. In final sentences the form of the negative is

regularly 'ne,' not 'non,' even where the clause is in the first instance introduced by 'ut.'

l. 5. *Praeter duas*. These were Messana, 'omnium istius furtorum ac praedarum receptrix' (Verr. Act. 2. 4. 67, 150), and Syracuse, which had been represented at Rome by men whom Cicero describes as 'illius (i.e. Verris) adiutores improbitatis, socios furtorum, consocios flagitiorum' (Ibid. 62, 139).

l. 7. *Communicata sunt*, 'which Gaius Verres shares with these states': lit. 'of which a share has been given to him in common with these states.' Cp. Verr. 2. 5. 2, 5: 'Num tibi illius victoriae gloriam cum M. Crasso aut Cn. Pompeio communicatam putas.'

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l. 19. *Neminem*, i.e. no one who is 'idoneus,' as being really a 'patronus' of the Sicilians.

cc. 5, 6. *The appeal of the Sicilians ought to have great weight at Rome. They were seeking the protection of laws against extortion which were especially framed for the benefit of the provinces; and they might fairly claim to be represented by the advocate on whom they could depend, especially as they were thoroughly acquainted with both the men who sought the office, and had as good reasons for objecting to Caecilius as they had for trusting Cicero.*

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about B.C. 104 by the Lex Servilia, which made the process in such cases more lengthy, by granting the right of 'comperendinatio' (see note on Verr. I. 11, 34). This was however removed by the Lex Acilia in B.C. 101; and again restored by the Lex Cornelia in B.C. 81, which was the law in force at the time of the present trial.

l. 27. *Civili fere actione*, 'by an action brought in his own name as a private citizen'; i.e. by an action for the recovery of his money and for personal compensation, not by a criminal prosecution. Either course was open to him, but for the most part (*fere*) the former, which was not open to the 'socii,' was found the more convenient.

l. 29. *Minus aliquanto, &c.* Owing to the corruption of the senatorial juries. *Quidem* is concessive, 'less fully guarded, it is true, under present circumstances than before.'

l. 33. *Severi custodes*, 'stern guardians,' to be found in more immaculate 'iudices.'

Page 6, l. 1. *Lege agi*, the most general expression for carrying on legal proceedings. So Ovid, *Fast.* I, 48: 'Fastus erit (dies), per quem lege licebit agi.'

l. 5. *Beneficio, &c.* The rights of the Sicilians, and their methods of legal procedure among themselves, were in the main laid down by a commission of ten Roman citizens, under the consul Publius Rupilius in B.C. 132.

*senati*. This form of the genitive is not uncommon in Cicero, especially in legal formulae.

l. 7. *Quo nomine*, 'under which head,' 'nomen' being technically the heading of a separate account in a ledger.

l. 8. *Sestertium milliens*, 'a thousand times a hundred sestertia,' or 100,000,000 sesterces, about £850,000 of our money. The expression strictly means a 'sestertium' (or a thousand sesterces) reckoned 100,000 times, the number expressed by the numeral adverb being always multiplied by one hundred in such expressions. 100,000 sesterces would be 'mille sestertia.' The amount of Verres' plunder is stated by Cicero in his formal indictment (Verr. I. 18, 56) to have been 40,000 sestertia, so that if the amount which he was liable to refund be taken as double of what he had taken, 'sestertium milliens' here must be looked on as an approximation to it in round numbers.

l. 12. *Accedere aut aspirare*, 'to intrude on or even aim at.' 'Aspirare' signifies more than our 'aspire to,' containing always the notion of 'striving to gain.'

l. 14. *Qui sis*, 'what kind of man you are,' 'qui' being adjectival, as opposed to 'quis sis,' 'who you are.'

l. 15. *Nobis*, rather than 'a nobis,' 'cognita' being commonly treated rather as an adjective, 'well known to us,' than as a participle.

l. 16. *Quod cuivis, &c.*, 'which no one could reasonably disapprove.'

l. 19. *Etiamsi taceant, satis dicunt*, 'even were they silent, which they are not, they sufficiently express in other ways': so that 'dicunt' expresses an existing fact, entirely independent of their actually speaking or not speaking, and so is in the indicative.

l. 23. *Velle sua causa*, 'entertain the wish from any interest you have in them.'

l. 27. *Quibus . . . volt*, 'whose interests the law desires to be especially considered.'

l. 30. *Deplorandae calamitatis*, because with Caecilius as accuser, who was himself deserving of punishment as a partner in the crimes of Verres, the Sicilians would feel it to be useless even to appear in court.

cc. 7, 8. *On the other hand, Verres would infinitely prefer Caecilius, in whom there was nothing of which he need be afraid. Hortensius, who was retained for the defence, saw that his case was safe if Caecilius should be prosecutor, for there would be nothing to stand in the way of his negotiations with the jury; whereas Cicero would set himself in earnest to stop all corrupt practices, in the interests of the Roman people as well as of his clients.*

P. 7, l. 1. *Solum id est*, 'this, you will say, is only one of the two points to be proved.' Cp. c. 3, 10.

l. 3. *De honore, &c.*, 'to gain an office, or to maintain his position in the state.'

l. 5. *Delatio*. See on c. 3, 10.

l. 9. *Quam contemnāt*, 'which he can afford to despise.'

l. 10. *Magnus ille defensor*, viz. Q. Hortensius, the great rival of Cicero at the Roman bar, who had been retained by Verres for his defence.

l. 13. *Sine ulla invidia, &c.*, 'without any feeling of hostility or desire to give offence.' So below, 'quod honestum, quod non invidiosum,' 'what is honourable, and shows no personal animosity.'

l. 14. *Cum vehementius contendi*, 'when I have put forth my powers to the utmost.'

l. 16. *Da mihi hoc*. The singular, because the address is supposed to be in private to the jury singly, not in court to all together.

l. 20. *Certos esse in consilio*, 'that he had certain accomplices on the judicial bench.' As the votes were given, not singly in succession, but all together, it would be easy for each to see how the others voted, and therefore Hortensius' agents on the jury could make sure that those who had been bribed voted according to their agreement.

l. 23. *Constituere*, 'appoint a prosecutor.'

*Cera legitima*. In the trial of Terentius Varro for extortion, in B.C. 75, Hortensius, who was counsel for the defence, had bribed certain of

the jury, and in order to see how many of them were true to their contract, had contrived that they should be furnished with voting tablets covered with coloured wax, whereas those given to the rest of the jury were white. Cicero frequently alludes to this 'infamis cera.' See Verr. 1. 6, 17; 13, 40: pro Cluent. 47. 130.

1. 26. *A pueris nobilibus*, such as Appius Claudius, the accuser of Varro.

*Quadruplatoribus*, 'public informers,' so called from their receiving a fourth part of the penalty.

1. 29. *Dominari*, 'play the tyrant,' Hortensius being till this trial the acknowledged leader of the bar: cp. Verr. 1. 12, 35.

P. 8, l. 1. *Condicione*, 'under better and more honourable restrictions than he proposes to himself.'

L. *Crassum et M. Antonium*. These were confessedly the orators of highest renown in the generation immediately preceding Hortensius and Cicero, Crassus having died in B.C. 91, when Cicero and Hortensius were both 15, Antonius (the grandfather of the triumvir) in 87.

1. 3. *Iudicia causasque*, 'the trials and causes of their clients,' the former being criminal, the latter civil cases.

1. 5. *Multorum*. Not only the jury, but all who were concerned in the transaction being liable to prosecution.

1. 7. *Receptam*, 'undertaken in fulfilment of an obligation,' *susceptam*, 'taken voluntarily upon myself': this being the ordinary distinction between the words.

1. 9. *Improbilas*, 'the whole system of iniquity.'

cc. 8-11. *Caecilius himself was in many ways disqualified for the post he sought. He was too much stained with the same iniquities as the defendant: he was closely bound to him by ties of intimacy, and even partnership in crime; having partly connived at the iniquities of Verres when he was bound by his official position to have exposed him, partly shared in the proceeds of his guilt: and he was utterly without the knowledge and the experience which are requisite in an advocate.*

1. 14. *Quid potes?* Cicero now begins to expose the incapacity of Caecilius, who had not only never given a sample of his powers to any one else, but had never ventured to test them for himself.

1. 15. *Non modo*, 'I do not say.'

1. 19. *Exponere*, 'to set the case out before the minds,' &c., the minds of the judges being represented as the scene of the display.

1. 24. *Unum aliquod*, 'any single ingredient.'

1. 29. *Omnes animadvertere*, 'that all perceive without my saying it';—and so by an ordinary rhetorical device he brings out the opinion of the Sicilians ('hoc dicere' depending on 'animadvertere') while disclaiming any intention to say a word about it.

1. 30. *Potuisse cognosci*, 'that no one except the Sicilians' (among whom he had been quaestor) 'had had any opportunity of becoming acquainted with your character.'

1. 33. *Hos patere*, 'allow the jury.'

P. 9, l. 1. *Illi*, 'the Sicilians.'

1. 2. *In Verrem deportare*, 'to bring home as evidence against Verres'; 'deporto' being especially used as a technical term for bringing anything from the provinces to Rome; *asportare*, simply 'to get them out of Sicily.'

1. 4. *Consignata*, 'duly recorded,' a sense in which the word seems only to be used by Cicero.

1. 8. *Decesseris*. See on p. 1, l. 8.

1. 11. *Lectissimum atque ornatissimum*, 'a most excellent and distinguished young man,' epithets continually combined in all sincerity, but here applied in bitter irony to Marcus Caecilius.

1. 13. *Tuas iniurias*, 'the wrongs which you complain of.' How imaginary these were Cicero shows below, in c. 17.

1. 18. *Crimina*, 'charges specified in the indictment.'

1. 20. *Aratoribus*. See on Verr. 1. 5, 13.

*Imperavisset*. Verres as propraetor was entitled to require a supply of corn, or its equivalent in money, to be provided for the use of his establishment. The price of corn was then two sesterces the peck, but Verres required a commutation at the rate of twelve sesterces the peck, thereby putting a sixfold burden under this head on the aratores.

1. 22. *Sestertiis duobus*, an ablative of price.

1. 24. *Ego hoc uno, &c.*, 'I cannot fail to convict him on this charge, if there were no other brought against him.'

1. 27. *Idne alteri, &c.*, 'will you bring as a charge against your neighbour?'

1. 32. *Suspitionem*. This is the reading of the MSS., but it is probably wrong, as being a weaker word than *mentionem*, though a stronger word is required by the context. Madvig suggests '*subscriptionem*,' which would mean 'its introduction as a count in the indictment'; as '*subscribere*' is used in de Invent. 2. 19, 58, for 'to introduce a further count': 'Cum veneficii cuiusdam nomen esset delatum, et quia parricidii causa subscripta esset, extra ordinem esset susceptum.'

P. 10, l. 3. *Tu quaestor*, and as such bound to see that Verres' accounts were right, so that it would be too late to urge as a crime now what he had previously allowed as correct.

1. 5. *Deductio*, 'an abatement,' which Verres would put into his own pocket.

1. 10. *Mancipes* were persons who took the contracts for farming any part of the public property, when put up for competition by the



quaestors. Here the 'publicani' who contracted for the collection of the corn rents.

l. 11. *Verre praetore*, 'was it only that Verres was praetor when this was done? No, Caecilius too was quaestor.'

l. 13. *Daturus es huic crimini*. The construction with the double dative should be noticed. 'Are you going to bring forward as a charge against Verres what you might have prevented?'

l. 19. *Animos, &c.*, 'to put the drag upon his zeal and eagerness to act.'

l. 22. *Non modo, &c.*, 'will understand that you not only had come to no understanding with each other, but had not even as yet divided the spoil.' The whole is of course ironical. 'Non modo' is commonly used instead of 'non modo non,' where the same verb is common to both clauses of the sentence; less frequently, as here, when the verbs in the two clauses are different.

l. 24. *Indicium*, 'the right of turning informer (index) against your accomplice.' This Cicero intimates would be illegal, probably as violating the sacred relation that existed between a quaestor and his superior officer.

*Dari*. This rare use of the infinitive after 'postulo' is said by Halm to be almost confined in Cicero to passive verbs. Cp. however de Orat. i. 22, 101: 'Quis nostrum tam impudens est, qui se scire aut posse postulet.'

*Quod*, 'on the ground that.'

l. 33. *Illa*, 'those qualifications.'

P. 11, l. 2. *Agendi*, 'of conducting a case.'

l. 3. *Ratio aut exercitatio*, 'theoretical knowledge or practical experience.'

l. 8. *Quod . . . opinionis*, 'the degree of estimation in which I am held.'

cc. 12-14. *The incompetence of Caecilius would show itself when it became necessary to marshal and arrange his facts: he would be unable to impress his hearers with their importance; or to express himself in language that should command their attention. It was only his ignorance that gave him confidence, whereas Cicero knew enough of the difficulties of the case to feel that all his experience left him serious grounds for apprehension in undertaking it. And Caecilius would be utterly unable to cope with Hortensius, who would so hopelessly bewilder him, as to make him forget the very instructions with which he had been primed. Cicero knew all the tricks of Hortensius too well to be disconcerted by them, but Caecilius would have no chance against him.*

l. 11. *De te . . . existimes*, 'what is your own opinion about yourself?'

l. 14. *Te conlige*, 'compose yourself.'

l. 16. *Ius populi Romani*. See Verr. i. 5, 13 note.

*Gravitate*, 'the importance.'

l. 17. *Tot res*. This does not follow naturally after 'de maximis rebus,' but the thread of the sentence being interrupted by the parenthesis, 'cum . . . susceperis,' Cicero resumes it in a slightly altered form.

l. 18. *Consilio*, 'with the judgment.'

l. 20. *Romae* as praetor urbanus B.C. 74; in *Italia* as quaestor to Cn. Papirius Carbo B.C. 82; in *Asia Pamphyliaque* as legatus to Cn. Cornelius Dolabella B.C. 80. See on Verr. i. 1, 2.

l. 21. *Quem ad modum . . . divisa sint*, 'following their several details of place and time, keep them distinct in the counts of your indictment and in your speech.'

l. 23. *Facere* is here used in a kind of double construction, first *facere id*, 'to accomplish what is so necessary,' and secondly *facere ut . . . videantur*, 'to make them appear.'

l. 24. *Libidinose*, 'to gratify his own desires.'

l. 29. *Graviter copioseque agenda*, 'to be pleaded with weighty arguments and ready eloquence.'

l. 33. *Disciplinis atque artibus*, 'the best schools and systems of learning.'

Page 12, l. 1. *Lilybaei*, where Caecilius had been quaestor, perhaps where he was born. Sicilian Greek at the best was strongly provincial, being an unrefined form of Doric, and at Lilybaeum especially, a Carthaginian colony, a very mixed dialect was spoken. Cp. Plaut. Pers. 3, 1, 66:—

*'Dabuntur dotis tibi inde sexcenti logi,*

*Atque Attici omnes; nullum Siculum acceperis.'*

l. 3. *Consequi*, 'to master its details'; *sustinere*, 'to be equal to its requirements.'

l. 6. *Mihi . . . elaboratum est*. In this construction of the dative with passive verbs (in prose mostly with their compound tenses), the force of the 'dativus commodi' is generally traceable, as in Verr. 2. 4. 42, 91, 'Ita mihi res tota provisa est,' 'I had the whole thing so thoroughly before my eyes.' Here no such explanation seems possible, but the use of the dative, irregular in itself, seems to be suggested by the occurrence of 'a,' in a different sense, with 'pueritia.'

l. 11. *Cum . . . ingrederis*, 'at the moment when you are engaging in them for the first time.' 'Cum' is followed by the indicative as marking merely the point of time, without any collateral meaning of causation.

l. 14. *Aut nemo aut pauci*, 'very few if any.'

l. 15. *Ab . . . negotiis, &c.*, 'all the time left over to me from the business of my friends.'

l. 16. In his studiis, those, namely, which are comprised in the 'haec omnia' of § 40.

l. 18. Ita mihi, &c., 'may I forfeit the favour of the gods if it be not true that': literally, 'may I only find the gods propitious so far as,' &c.

l. 19. Quo die. The noun is apparently here inserted, practically repeating 'temporis,' to avoid the juxtaposition of 'quo' and 'citato reo,' not agreeing with each other.

l. 26. Pro offensione . . . dignum. In this combination 'dignum' is used absolutely, but explained by 'pro offensione,' &c. 'I am at once disturbed by the apprehension of what I can say that shall be worthy of the occasion, on a scale which shall be commensurate with the offence taken by his personal enemies and antagonists, with the expectations generally formed, and with the importance of the question at issue.' Cp. Sall. Cat. 51. 8: 'Si digna poena pro factis eorum reperitur.'

l. 29. Ex vetere aliqua oratione, 'from some old-fashioned speech of by-gone days'; such openings being represented by Cicero as wholly out of date.

l. 33. Demonstrare, 'prove the simple facts of your case.' In § 39 the word is opposed on the one hand to dicere, 'to put a statement into words,' on the other to explicare, 'to disentangle what is complicated.'

P. 13, l. 2. Cum homine disertissimo, viz. Q. Hortensius.

l. 5. Ita laudo ut, &c., 'I praise without fearing it, and only approve of it as thinking myself less likely to be deceived than entertained by it.'

l. 7. Opprimet consilio, 'he will never overpower me by his judgment, trip me up by any professional dexterity, or even try to make my position less steady or secure by the brilliancy of his attack.' The whole clause derives its phraseology from the wrestling school, and this is carried on in petitiones rationesque, 'forms and methods of attack.'

l. 11. Quamvis sit ingeniosus, 'however clever he may be.' Cp. Verr. 1. 1, 1 note.

l. 13. Arbitretur, the present, though referring to future time, as the futurity is already sufficiently marked by the tense of the principal verb.

l. 14. Iactaturus, 'drive you from pillar to post.'

l. 15. Potestatem optionemque, a hendiadys, 'the full power of choosing': ut eligas being pleonastic, as merely expressing again what is already contained in 'optionem.'

l. 17. Aestus, 'vacillation,' the metaphor being from the flux and reflux of a wave.

l. 19. Dividere . . . constituere. The latter expression is more

specific and technical than the former. 'To analyse your indictment into its component parts, and specify the several sections of your case upon his fingers.'

l. 21. Transigere, expedire, absolvere, represent different stages of dealing with the same subject. Transigere, 'to go through it in detail'; expedire, 'to set aside unsatisfactory explanations of it'; absolvere, 'to dismiss it as finally settled,' the metaphor in the last case being probably derived from taking down a finished web from the loom. 'To discuss, to unravel, to dismiss.'

l. 23. Commiserari, conqueri. The appeal to the compassion of the jury was a recognised part of an advocate's duty in the Greek and Roman courts, 'conquestio' being defined by Cicero (de Invent. 1. 55, 106) as 'Oratio auditorum misericordiam captans,' and placed by him at the close of the 'conclusio.' Socrates is represented by Xenophon (Mem. 4. 4, 4) as recognising the practice, but condemning it. Commiserari and conqueri referring to the same division of the speech are naturally combined without a conjunction, and then joined on by et to the different process expressed by deonerare, &c., 'to take somewhat from the load of prejudice under which he labours.'

l. 26. Sortis religionem. The particular province in which each quaestor should serve was determined by lot, and as the lots were supposed to be decided by divine interposition, the tie between a quaestor and his superior officer is here represented as having a religious sanction. Halm unnecessarily adopts the emendation of Gronovius, 'sortis religionem,' the religious sanction given by the lots being as naturally contrasted with 'necessitudinem' as with 'more maiorum.'

l. 29. Praestringat aciem ingenii, 'dull the keenness of your mental vision,' as the actual eyesight might be dazzled by his rapid gestures. The expression is a favourite one with Cicero, especially in its metaphorical usage.

l. 30. Ab institutis, 'from your preconcerted plan.'

l. 33. Magister ludi, 'some miserable teacher of fencing.' There is an obvious play on the word 'ludus,' which means at once a gladiatorial school, and a 'ludus disserendi,' where men are taught to fence with words. This play is carried on in the comparison of the present action to a prolusio, or 'preliminary sparring bout,' as compared with the pugna which should ensue, in the actual prosecution of Verres, illi iudicio.

Ex alienis orationibus compositum, 'a cento of other men's speeches.'

cc. 15, 16. Caecilius again would not derive much help from his junior counsel. They were men of very little power, and what little they possess they will be afraid to put forth, for fear of outshining their

leader. In fact, the aspirants to the position of junior counsel were all of such a kind that Cicero himself would refuse any aid from them, as more likely to do him harm than good.

P. 14, l. 5. *At venit*. 'At' as usual introduces a supposed statement of an antagonist. 'At any rate he has experienced and eloquent juniors.' This plea Cicero shows to be wholly without foundation, L. Appuleius and Alienus being men of no repute.

l. 6. *Subscriberibus*, men who backed the indictment lodged by the 'patronus' or leading counsel (*princeps in agendo*), and so exactly corresponding to our junior counsel.

l. 12. *Ab subselliis*, a man whose proper place is in the 'subsella,' the benches where the friends of either party to a trial used to sit, with a view of giving him the support of their countenance. Hence clamour rather than eloquence or argument generally proceeded from the 'subsella.'

l. 15. *Actor*, 'to play the part of plaintiff': a less common term for the leading counsel than 'patronus,' but evidently used here to lead up to the comparison with those who act upon the stage.

l. 19. *Tamen*, 'in spite of your inferiority to him.'

l. 20. *Illum . . . submittere*. The accusative and infinitive after 'facere' or 'feri' is rare, though classical, and found elsewhere in Cicero, Brut. 38, 102: 'Tales oratores videri facit, quales ipsi se videri volunt.'

*Secundarum aut tertiarum partium*, the δευτερωγωνιστῆς or τριτωγωνιστῆς of the Greek stage.

l. 22. *Multum submittere*, 'to put a considerable restraint upon his powers.'

l. 23. *Tibi lenocinabitur*, 'will be your humble slave, and pander to your degradation.'

l. 26. *Ex ea . . . habet*, 'from any powers he may possibly possess.'

*Sibi* is used, because the leading thought throughout is what the effect will be upon Caecilius. It is practically, 'if he finds Alienus softening down his powers and yielding the highest rôle to him.'

*Quartum*. Not that, as Halm thinks, the 'patronus' was himself a 'subscriber,' but Cicero has passed from the thought of 'patronus' and 'scriptores' to that of the several grades among actors, the 'patronus' corresponding to the πρωτωγωνιστῆς.

l. 30. *Moratorium*, 'talkers against time': but the word is very doubtful, not being found elsewhere in this sense, and here being only a conjecture for 'oratorium' or 'meatorium,' which are found in the MSS.

l. 31. *Qui subscriptionem sibi postularunt, &c.*, 'who have claimed a place among the counsel for the prosecution,' whether the chief place be given to Caecilius or to Cicero. Hence it would appear that it fell

within the scope of the 'Divinatio' to decide who all the counsel for the prosecution should be. Cp. below, § 50: 'ut . . . de populo subscriptor addatur,' 'that I should be saddled with a junior counsel from the ranks.'

l. 32. *Ex quibus alienissimis, &c.*, 'from which most alien kind (Alienus-like) of men your preparations force you to accept a guest into your company.' His preparations were of too questionable a character to let him be fastidious in his choice of associates.

P. 15, l. 2. *Certo loco*, 'in a separate portion of my speech, expressly assigned to them.'

l. 3. *Sic*, 'just as I come upon them,' taking them *en passant*.

l. 8. *Ad columnam Maeniam*. This column, erected in honour of C. Maenius the Dictator, who crushed the Latin league in B.C. 338, stood in the Forum, near the Rostra. The scholiast says that thieves and similar offenders were punished near this column before the *Triumviri capitales*: but Mr. Burn (Rome and the Campagna, p. 89) thinks that it was 'a place of meeting for persons engaged in lawsuits, who wished to secure the aid of counsel.'

l. 9. *Vestri ordinis reos*, 'clients to defend who are suited to your capacity.'

*Custodem*, 'yes,' says one of these men, 'set me on guard to take care of Cicero.' Cicero then plays on the word 'custodem,' and says that he will need many people to take care of him, if a man like this once get access to his brief-bag.

l. 12. *Enunties*, 'betray any secrets.'

l. 13. *De isto custode toto*, 'on the whole question of this some one to take care of me.'

l. 14. *Hos tales viros*, 'men like the jury whom I see before me.'

l. 15. *Subscriber* is predicate, 'any one should aspire to a place as junior counsel in a cause of such importance.'

l. 17. *Speculatorem reformidat*, 'shrinks from the interference of a spy.'

cc. 16-19. *Granting that Caecilius had been wronged by Verres, still the deeper wrongs sustained by the whole province made their claim to choose a prosecutor of greater weight than his. And what was the nature of the wrong? That Verres had compelled him to disgorge some booty which he had obtained by an iniquitous decision; and even this Caecilius had condoned. Nor could he at any rate retaliate on Verres without gross violation of propriety, considering the sacred tie existing between a praetor and his quaestors; a tie that had hitherto always been respected by the Roman people.*

l. 18. *Redeam*, from my digression about the 'scriptores.'

**Te deficiant.** 'Deficere' is common either as an active verb, 'to be wanting to,' or as neuter, 'to be wanting,' followed by a dative.

l. 22. **Hunc librum**, the document which his master had composed for him. See c. 14. 47.

l. 24. **Arbitror**, 'I can easily believe it.' So 'video,' and 'audio,' in Verr. 2. 5. 27, 69.

l. 27. **Eximium**, in its original meaning, 'picked out as an exception.' Cp. Ter. Hec. 1. 1. 9: 'Utin' eximium neminem habeam.' As an exception, Caecilius being himself a Sicilian.

l. 32. **Qui debeat**, 'not only *what kind of man* (so 'qui' not 'quis') it is who ought to play the part of avenger, but in what kind of man the power can be found.' The best man is he who has both qualifications, 'utrumque'; but if one only can be secured, the power is even more important than the will.

P. 16, l. 3. **Utrum**, 'which of the two?'

l. 4. **Te . . esse laesum**, 'that you received damage at his hands.' In the following chapters Cicero shows that this damage consisted merely in making Caecilius disgorge what he had wrongfully appropriated, and that he had therefore not been wronged in any way.

l. 10. **Adoptavit**, not merely 'has chosen,' but 'has deliberately associated with itself.'

l. 12. **Alieno incommodo**, 'though it involved no inconvenience to themselves.'

l. 16. **Liberta Veneris Erycinae**, 'formerly a slave to Venus Erycina.' The temple of Venus at Eryx was looked upon with peculiar veneration by the Romans, as having been founded, according to the legend, by Aeneas. Any violation of its privileges, or of the rights of those employed in its service, would therefore be an especial outrage.

l. 17. **Copiosa plane, &c.**, 'notoriously rich and well-to-do.'

l. 18. **Praefectus Antonii**, 'a captain in the fleet of Marcus Antonius,' father of the triumvir, who received a commission in B. C. 74 to clear the sea of pirates. The power thus placed in his hands he employed for the oppression of the provinces, especially of Sicily.

l. 19. **Abducebat**, 'attempted to carry off by force.'

l. 22. **Religionem obiceret**, 'that she might place a religious difficulty in the way of the aforesaid captain.' Though she had purchased her freedom, yet the goddess would still be looked upon as her patron, bound to defend her against wrong.

l. 23. **Quaestori**. As such, apparently, it was his duty to maintain the privileges of the temple. In Verr. 2. 2. 8, 22, Cicero speaks of the 'quaestor Lilybaetanus' as being 'is qui Erycum montem obtinebat.'

**Viro . . homini**, 'so excellent as a magistrate, so fair in all his conduct as a man.'

l. 25. **Iudicium dat**, 'grants a trial to decide whether it be proved,'

&c. The simple verb 'pareo,' in the sense of appearing, is only found impersonally in Cicero, and almost exclusively in this legal formula. But see pro Mil. 6, 15, where 'at paret' is the probable reading.

l. 26. **Recuperatores** were a court of three or five members, originally constituted to decide questions, as in the present case, between citizens and 'peregrini,' but gradually extending their jurisdiction, which was summary, to other civil causes.

l. 29. In **servitutum adiudicat**, as the logical, but manifestly inequitable consequence of her own declaration.

l. 30. **Redigit**, 'realizes the proceeds of the sale.'

**Mancipia**, 'a few slaves.'

P. 17, l. 3. **Sed Q. Mucius**, 'but a very Daniel come to judgment.' Q. Mucius Scaevola, consul in B. C. 95, was equally distinguished for his uprightness as governor of Asia in B. C. 94, for the purity of his general moral character, and for his legal knowledge.

l. 4. **Elegantius**, 'in better taste.'

l. 7. **E vestigio**, 'without moving from the spot on which he stood.'

l. 8. **Factus est Verres**, 'he resumed his swinish nature.' See Hom. Odys. 10. 299, &c.

l. 12. **Defendam**, 'I shall maintain the contrary.'

l. 13. **Quae tibi facta sit**, 'the *supposed* wrong which has been done you.' Had he used the indicative, Cicero would have acknowledged the wrong to be a fact.

l. 14. **Graviorem**, 'more severe.' Caecilius had condoned the wrong, and it was not therefore for the jury to take it up.

l. 17. **Perfidiosum an praevaricatorem**, 'treacherous towards the man whom you have treated as a friend, or false to the part which you assume as his accuser.'

l. 21. **Non modo mihi**, 'I do not say to myself, but to any one whom you would name.'

l. 26. **Causam necessitudinis**, 'the plea of close relationship,' a praetor being considered to stand 'parentis numero' (see c. 19, 62) to his quaestors.

l. 31. **Ne in alio quidem**, 'even in one who was not bound by such close ties as you.'

P. 18, l. 1. **Sine ulla vituperatione**, 'so as to escape all blame.'

l. 14. **Sortis**. See on p. 13, l. 26.

**Provinciae**, 'in the sphere of official work.'

l. 16. **Pie**, 'consistently with the dictates of natural affection.'

l. 20. In **ratione reddenda**, 'in giving an account of your conduct.'

l. 24. **Quin repudiaretur**, 'without being rejected.' Literally (qui non) 'who was not on that account rejected.'

l. 27. **T. Albucius** was praetor in Sardinia in B. C. 105, and in B. C. 103 was found guilty on a charge of extortion preferred by Gaius Julius

Caesar Strabo, who was chosen to be prosecutor instead of Gnaeus Pompeius, solely on the ground that the latter had been quaestor to Albius. Of the other two cases mentioned we know nothing further.

cc. 20, 21. *Under the most favourable circumstances a personal wrong does not so well qualify a man for undertaking a prosecution as disinterested indignation against the oppressor of a province: and it is more honourable to seek such a task at the instigation of suffering allies than from motives of private revenge. It was a task that the noblest men at Rome had always felt a pride in fulfilling; and it was a good omen for the state when men of tried integrity and first rate ability were found ready to perform it, even at the risk of their own reputation.*

P. 19, l. 6. *Probabilis est*, 'has a right to our approval.'

l. 12. P. *Gabinium*. P. Gabinus Capito was propraetor in Achaia in B.C. 88, and on his return from that province was convicted of extortion; the prosecution at the request of the Achaeans being entrusted to L. Piso, of whom little is known except that he was praetor with Verres in B.C. 74, and is spoken of in high terms by Cicero, Verr. 2. 1. 46, 119. Q. Caecilius is otherwise unknown, unless he is the same as a man of that name who took part in the conspiracy of Catiline.

l. 13. *Delationem, &c.* See on p. 3, l. 29.

l. 19. *Cum . . patrona sit*, 'seeing that the allies and friends of the Roman people owe the security of their position to the protection afforded them by the law concerning extortion.' The law stood to them in a relation corresponding to that which existed between a Roman citizen and his client.

l. 26. *Deorum hominumque iudicium*, 'the judgment of men in electing me quaestor, of the gods in so directing the lots that I was attached to the government of Verres.'

P. 20, l. 1. *In amicitiam . . essent*. Cp. de Imp. Cn. Pomp. c. 12, 33: 'Cum vestros portus . . in praedonum fuisse potestatem sciatis.' The accusative here seems to be used in a pregnant sense, marking not only that the allies were friendly to the Romans, but that they had been brought into these friendly relations. See Madv. § 230 b, Obs. 2. The construction is also found in Plautus, Livy, Tacitus, and Sallust.

l. 3. M. *Catonem*, the Censor, consul in B.C. 195. His successful campaign as consul in Hither Spain was rewarded by a triumph in the following year, but it was marked by rigour amounting to cruelty.

l. 6. M. *Silano*. M. Silanus, consul in B.C. 109, having fought a disastrous battle with the Cimbri in Transalpine Gaul, was accused by Cn. Domitius Ahenobarbus of having fought without orders. The prosecution seems to have been instituted, as hinted here, entirely from personal motives, and Silanus was acquitted by the votes of all the tribes but two.

*Nuper*, here and in § 64, seems to mean 'in later times,' as in both

passages the events which it introduces were considerably anterior to the present trial, and therefore not 'lately'; but yet much after the events with which they are immediately associated.

*Diem dixisse*, 'appointed a day for his trial,' and so practically 'indicted.'

l. 12. *Non inertissimum*, 'not wholly without skill,' and so by implication possessed of skill in a high degree. Cicero explains the word, de Fin. 2. 34, 115: 'Artes, quibus qui carebant, inertes a maioribus nominabantur.'

l. 15. *Atque adeo, &c.*, 'or rather I should say that this being an old practice should be brought into use again as something new.' *Atque adeo* in this corrective sense is common in Cicero, sometimes introducing a correction of fact, as Att. I. 17, 9, 'Ego princeps in adiutoribus atque adeo secundus': sometimes the substitution of a more accurate expression, as Rosc. Am. 10, 29, 'Hoc consilio atque adeo amentia impulsus.'

l. 18. *Quadruplatores*. See on p. 7, l. 26.

l. 21. P. *Lentulus*, consul suffectus in B.C. 162, and afterwards *princeps senatus*, 'the first senator on the censor's list,' but not otherwise of note, prosecuted M'. Aquilius, who as consul in B.C. 129 had put an end to the war against Aristonicus, son of Eumenes of Pergamus, for malversation in his province. Aquilius gained an acquittal by bribing the jury.

l. 24. L. *Cottam*. The cause and exact date of this trial are unknown, but as Scipio's second consulship was in B.C. 134, and he remained in Spain till the fall of Numantia in the following year, it must have been between B.C. 133 and B.C. 129, when Scipio died. Cotta was acquitted, in great measure, according to Cicero (pro Mur. 28, 58), because the jury were afraid of his appearing to be crushed by the influence of Scipio. Cotta was consul in B.C. 144.

l. 27. *Quod . . moleste ferunt*. The relative is the object both of 'mirari' and 'moleste ferunt,' which is never used absolutely, without the cause of the annoyance being expressed. *Ferunt* is in the indicative, because no connection but that of time is expressed by 'cum.' 'What they pretend that they wonder at in me, when all the time it is simply causing them annoyance.'

l. 29. *Quid sibi iste volt?* 'What is the man aiming at?' a question supposed to proceed from one of Cicero's opponents.

l. 31. *Cum aedilitatem petat*, and when it would therefore be detrimental to his interests to provoke men's hostility by such a course.

*Ego vero, &c.*, 'in reply to this I maintain the view.'

l. 32. *Honoris amplissimi*, 'the highest curule office,' the aedileship being the lowest.

P. 21, l. 2. *Prope desperatae* carries on the metaphor begun in *aegrotanti*, 'for a state sick almost unto death.'

l. 4. *Iudiciorum auctoritatem*, 'to maintain the reputation of our courts of law.'

c. 22. *In conclusion the jury should consider how much more Cicero had at stake in the matter than Caecilius, who had neither reputation in the past nor expectations in the future to be damaged by his failure, whereas Cicero had both. And they would do well to consider how both they individually and the senatorial body to which they belonged would suffer in popular estimation if they gave a verdict which public opinion would condemn.*

l. 14. *Fuerit . . . futura sit . . . laborat*. The two former verbs are in the subjunctive as expressing ideas which might have been, but were not realized; the third in the indicative, as representing what was actually taking place.

l. 16. *Reliqui temporis spem*, 'any hope that may have been entertained of his future.'

l. 19. *In offensioe*, 'if he breaks down.'

*Ut discedat*, 'even though he should leave the court.'

l. 22. *Recuperare*, as bringing in a new idea, distinct from that of preserving, which is common to the three preceding verbs, requires to be connected with them by a conjunction. The word is introduced to keep up the metaphor in *pignora*, since the man who gives pledges in guarantee of the due performance of his task is anxious not only to secure them from injury, but to redeem them.

l. 23. *Honorem quem petimus*, practically 'my candidature for office'; not the office itself, which was not Cicero's to pledge.

l. 28. *Si tantulum offensum sit*, 'if there be ever so slight a tripping or stumbling'; the suggestion of evil being put in an absolute and indirect form, in contrast with the more direct suggestion *si . . . probaverimus*. The change in form of expression leads further to the necessity of repeating *ut*, to introduce the alternative consequence.

l. 32. *Sustinere*, 'to support the burden of so great a cause in court.'  
*Consilio, auctoritate*, 'by his judgment, and personal prestige.'

P. 22, l. 3. *Vobis placuisse . . . vestro ordini placere*. Cicero ends by warning the jury that they too are on their trial, both as individuals, and as members of the senatorial body. If they prefer Caecilius, the Roman people will naturally suppose that they wish Verres to be unjustly acquitted; and will also in all probability go on to infer that this is in accordance with the general and habitual wishes of the senators. Hence *placuisse* of the individual case, *placere* of the general principle.

## NOTES.

### THE FIRST ACTION AGAINST GAIUS VERRES.

c. 1. *Cicero congratulates the jury on the opportunity now given them to remove the prejudice that existed against the senators in their judicial capacity. This they might do by returning a righteous verdict against so flagrant an offender as Gaius Verres, in spite of the influence secured to him by his ill-gained wealth.*

Page 23, line 2. *Vestri ordinis*; i.e. of the Senate, from whose body the *iudices* had been exclusively chosen since the passing of the Lex Cornelia, in B.C. 81. At the time of this trial a proposal of L. Aurelius Cotta was under discussion, which afterwards passed into law, for dividing this privilege between the Senate, the Equites, and the Tribuni Aerarii, and Cicero here congratulates the senators on the opportunity of proving their fitness to retain exclusive possession of it.

l. 4. *Summo rei publicae tempore*, 'at a most momentous crisis in the state,' when such vital interests as those above referred to were at stake.

l. 8. *Quae nunc sunt*, 'under existing regulations.' As this clause is merely an expansion of 'his,' the indicative is retained, though in the *oratio obliqua*, the whole relative clause being regarded as a mere epithet. See *Madv. § 369, Obs. 1.*

*Quamvis sit nocens*, 'however guilty he may be;' *quamvis* attaching itself, as is usually the case, to the predicate.

l. 10. *Contionibus*, 'by speeches at public meetings,' generally summoned by some duly constituted authority, but not invested with any legal powers. The allusions may be to M. Lollius Palicanus, a tribune of the commons in B.C. 71, and a supporter of the Lex Aurelia: or to L. Quintius, a vehement opponent of the Lex Cornelia, who had been tribune in B.C. 74, and who is described by Cicero elsewhere as 'aptissimus turbulentis contionibus;' *Brut. 62, 223.*

l. 11. *Invidiam senatus*, 'the odium' consequent on their venality.

l. 12. *C. Verres*. The praenomen designated by C. is Gaius, as Cn. stands for Gnaeus, the original form of the G being retained in each case, instead of the modification introduced by Carvilius about 220 B.C.



1. 14. *Sua spe, &c.*, 'but who confidently himself proclaims his hope that his acquittal is secured by his enormous wealth.'

1. 17. *Succurrerem*, 'to be your champion against the general prejudices attaching to your body.'

*Reconciliare*, 'to win back again.'

1. 20. *Depeculatorem aerarii*. Verres had been quaestor to Cn. Papirius Carbo in B.C. 82, in Cisalpine Gaul, and in that capacity had embezzled the public money entrusted to him, and deserted his own party for that of Sulla. (See Merivale, Fall of Rom. Rep. p. 129.)

*Asiae atque Pamphyliae*; as legatus and afterwards proquaestor to Cn. Cornelius Dolabella, praetor of Cilicia, in which province Pamphylia was included, in B.C. 80-79.

1. 21. *Praedonem iuris urbani*. In his city praetorship, B.C. 74, his judicial decisions had been notorious for their venality, and he was involved in the scandal of the *iudicium Iunianum*. See c. 10, 29 note.

1. 23. *Istius*, 'of the man before you,' an ordinary forensic term for the defendant.

P. 24, l. 1. *Religionem veritatemque*, 'the sense of religious obligation and regard for truth which should characterise the judicial bench.'

1. 2. *Iudicium*, 'a verdict worthy of the name.'

cc. 2, 3. *Whilst he could not but feel apprehension lest his professional reputation should be injured by any possible failure in such a cause, he was yet reassured by the folly of which Verres had been guilty in the midst of his audacity. He had shown his hand too plainly, and made too open a boast of his intention to corrupt the court. Finding that the present year was unfavourable for his purpose, he had devised a scheme for blocking the law courts by a sham prosecution, which should take precedence of his own trial. Cicero baffled this stratagem, by the diligence with which he collected his evidence in less than half the time allowed to him.*

1. 6. *Insidiae*. Of these we know nothing. Cicero seems to hint at schemes against his life on his journey to or from Sicily. The present peril in which he stands is lest his reputation should be damaged by a corrupt acquittal of Verres; and to this the *insidiae* in the following section refer, but here he seems to speak of snares which had been already set and foiled. Cp. Act. 2. 2. 40, 99, where he says that on his return from Sicily he took a small boat from Vibo to Velia, for safety 'inter fugitivorum ac praedonum ac tua tela.'

1. 10. *Expectatio*, 'the expectations entertained about my conduct of the prosecution.'

1. 16. *Surripissent*, 'had pilfered secretly:' *eripuisse*, 'had carried off without disguise.'

1. 17. *Multis*, i. e. enough to satisfy all whom it might be requisite to bribe.

*Sanctum . . munitum*. 'Nothing was so holy that it might not be assailed, no fortress so strong that it could not be stormed by gold.' Cp. de Imp. Cn. Pomp. c. 32, 65: 'Quam civitatem sanctam, quam domum satis clausam ac munitam fuisse.'

1. 22. *Audacia*, in that he was *apertus in corripiendis pecuniis: stultitia*, in that he so openly betrayed his schemes for corrupting the jury. See on p. 31, l. 29.

1. 25. *Reus factus sit*, 'was formally indicted:' the first step in a Roman trial being to make a formal accusation of the defendant before the praetor. If he pleaded not guilty, the praetor then appointed a day for the trial.

1. 27. *Flagraret*, 'was in the full blaze of unpopularity and infamy.'

1. 28. *Tempus alienum*, 'a bad time for the purpose.' The agitation for the Lex Aurelia, and the scandal of the *iudicium Iunianum* (see on p. 32, l. 13), would both conduce to render the jury very cautious about accepting bribes.

1. 29. *Diem . . . perexiguam*. Cicero asked for 110 days to collect his evidence in Sicily, including the time required for the journey to and fro. Thereupon it would seem that Verres and his friends made up an accusation against some one of whom we know nothing further, for malversation in Achaia. The prosecutor on this charge undertook to get his case ready in 108 days, so as to gain possession of the court before Cicero was ready. Had their plot succeeded, they would have caused delay, and probably would have effected their object of postponing the trial of Verres till the following year. Cicero thwarted their scheme by completing his preparations within fifty days, before the other prosecutor had got so far as Brindisi.

*Inquirendi in Siciliam*, 'for going to Sicily to make inquiries:' the accusative marking the journey to Sicily necessary for the purpose in hand.

P. 25, l. 2. *Cognoscerem*, 'made myself acquainted with them.'

1. 5. *Obsideret*, 'to interfere with.'

c. 3. l. 7. *Paratum atque instructum*, 'with my case so thoroughly prepared, and supported by such a mass of evidence:' *paratum* referring rather to the skill with which he had got the case ready for trial, *instructum* to the materials on which it was founded.

1. 13. *Cum publicis auctoritatibus*, 'with their credentials.' This concrete use of *auctoritas*, 'an authority,' is found even in the singular, pro Cael. 22, 55: 'Recitatur vobis iure iurando devincta auctoritas.'

1. 15. *Profligata* appears to be used by Cicero as exactly synonymous with *perdita*, with which it is several times combined, though generally in the reverse order. Cp. Act. 2. 3. 26, 65: 'Omnium mortalium profligatissime et perditissime.' 'Utterly and hopelessly corrupt.'

l. 18. *Tempus . . . emisse*; by the device described in the note on p. 6 l. 29.

l. 21. *Poterat*. The indicative is used in this clause, because the reason is suggested by Cicero himself, not introduced as part of Verres' boast.

*Non modo in causa*, 'I do not say in the justice of his case,' that would be too much to ask, and so we will set that aside. Cp. de Imp. Cn. Pomp. 22, 66: 'Quae non modo imperatoris, sed unius tribuni militum animos ac spiritus capere possit.'

l. 22. *In aliquo honesto praesidio*, 'in some honourable ground of confidence;' such as an appeal to his general character, or the services of his family, or the like. That this is the meaning of *praesidium* seems clear from ad Herenn. 4. 24, 33; where, after saying 'Saepe, iudices, animum adverti multos aliqua ex honesta re, quam ne inimici quidem criminari possint, sibi praesidium petere,' the writer instances a father's virtue, previous good conduct on the defendant's part, and the merits of his relations or friends.

l. 23. *Gratia*, 'in the influence of powerful friends.'

l. 25. *Arbitratu eius deligeretur*, 'that he should feel himself at liberty to pick and choose.' The senator selected is stated by the Scholiast to have been Oppius, but nothing is known about it from any other source, nor is it clear whether the intended defendant was himself an accomplice in the plot.

l. 26. *Hic*, 'our friend,' i.e. Verres. The preparation in question would consist in packing and bribing the jury. Others take 'hic' to refer to Cicero himself, like *οὗτος ἀνὴρ*; but this is not at all in accordance with Cicero's usage.

*Quae opus essent*. This use of 'opus' as a predicate, instead of 'quibus opus esset,' is found especially, though not exclusively, with neuter adjectives and pronouns, when the ablative would leave the gender ambiguous.

l. 27. *Causam . . . diceret*, 'should defend himself:' *causam dicere* being used exclusively of defence, unless the idea of prosecuting is directly given by the context. Hence in pro S. Rosc. Amer. 5, 13, it is used as directly antithetical to 'accusare:' 'Accusant ei qui in fortunas huius invaserunt: causam dicit is cui nihil . . . reliquerunt.'

l. 30. *Consilio*, 'this jury.'

l. 31. *In refectione iudicium*, 'when the time came for challenging the jury.' The jury for any given trial were taken by lot from the general panel of jurymen for the year ('album iudicum selectorum'), and prosecutor and defendant had each the right of arbitrarily challenging a certain proportion of the list. We do not know how either the original number of jurymen, or the number of challengers allowed on either side was determined, but Asconius tells us that at Milo's trial, in B.C. 52, there

were eighty-one iudices appointed, and that each side challenged fifteen, five from each decuria. On the present occasion the people would seem to have approved of those jurymen being challenged who were supposed to be most accessible to bribes.

l. 33. *Rationem salutis*, 'the whole scheme for his safety.'

cc. 4, 5. *The whole life of Verres was evidence against him. As quaestor, as legatus, as praetor, he had been rapacious and regardless of the most solemn obligations: but all his previous crimes were outdone by his outrageous administration in Sicily. There neither person nor property had been spared by him. The public monuments and the temples of the gods had been plundered as unscrupulously as the treasures of individual citizens, and his profligacy had been as wanton and notorious as his rapacity.*

P. 26, l. 4. *Vitiis . . . convictam*, 'convicted by the evidence of vices and crimes;' as in Act. 2. 1. 9, 26: 'Tantis criminibus quantis tu convinceris.' 'Convicted of vices' would be 'vitiis convictam.'

l. 7. *Quaestura*. The quaestorship, through which a man was forced to pass before he could be elected to any higher office, could be held at the age of thirty-one. For Verres' conduct in his quaestorship, see on p. 23, l. 20.

l. 10. *Sortis necessitudinem religionemque*, an instance of Hendiadys; 'the sacred obligation involved in the relationship established by lot.' Before the dictatorship of Sulla the number of quaestors annually elected was eight, and the distribution of their offices was usually determined by lot. One was attached as paymaster to the staff of each consul, and the tie thus established between them was considered as sacred as that of blood relationship.

l. 11. *Legatio* was not one of the 'gradus honoris,' being a personal appointment of the general to whose staff the 'legatus' was attached, though it required the sanction of the senate. Verres was 'legatus' and afterwards 'proquaestor' to Cn. Dolabella in Cilicia B.C. 80-79, and after aiding him in his extortions, turned evidence against him, and contributed largely to his conviction in the following year.

l. 12. *Asiae*; the Roman province of Asia, comprising strictly Phrygia, Mysia, Lydia, and Caria. It would seem therefore as if the extortions of Dolabella and Verres extended beyond the limits of their own province, though the boundaries of the so-called province of Cilicia were as yet ill-defined, and seem to have included no part of Cilicia itself. In Act. 2. 1. 19, Samos and other places on the west coast are specified as the scenes of Verres' robberies.

l. 14. *Suum scelus*, 'the crime he had himself invented in his quaestorship:' i.e. of betraying his chief.

l. 16. *Pro quaestore*, 'acting quaestor;' not like 'propraetor,' or

'proconsul,' a regular appointment by decree of the senate and people, in continuation of a previous magistracy; but an appointment made by the governor of a province to supply a casual vacancy in the quaestorship. Verres was thus appointed on the death of C. Malleolus, Dolabella's quaestor. See Act. 2. 1. 15, 41.

1. 18. *Prodidit*; a climax, adding to the malice of an assailant the meanness of a traitor.

*Praetura urbana*, in B.C. 74.

1. 19. *In iure dicundo*, 'in carrying on the business of his court.' The praetor's judicial functions were expressed by the three words *do, dico, addico*; by the first of which he granted the right of commencing proceedings, by the second he gave his judgment as to the rights of the case, and by the third he awarded any property in dispute to its rightful owner. Hence *addictio* (which does not appear to be elsewhere used in classical Latin) expresses the judicial award of property whose ownership was contested in the court of Verres, and *condonatio*, 'the bestowal of property,' is added to mark that this award was commonly arbitrary, without regard to the rights of the case. So Act. 2. 1. 41, 106: '*Condonabat hereditatem ereptam a liberis*.'

1. 24. *Possit*, 'that even now it can in no wise be restored to its former condition;' the present subjunctive being used even after a past tense, to mark a result still continuing at the time of speaking.

1. 25. *Recreari aliquando*, 'to recover itself at length.' '*Aliquando*' is commonly used of that which comes after being long waited for, giving the sense of 'at length, and high time too.'

1. 29. *Imprudentiam*, 'the imperfect observation.'

c. 5. l. 32. *Tam patria, &c.*, 'secured by so firm a title from his father and grandfather.'

*Quae non ab eo . . . abiudicaretur*, 'as not to be assigned away from its proper owner.' Cp. Act. 2. 1. 2, 4: '*Rationem veritatis ab hoc ordine abiudicari*.'

P. 27, l. 1. *Aratorum*. These were the occupants of the Roman state lands, which were farmed on the principle of paying tithes ('*decumas*') to the treasury. The frauds of Verres with respect to the corn are given in detail in Act. 2. B. 3: and are classed under three main heads; 1. the exaction of at least three times the legitimate amount of tithe; 2. the embezzlement of money which should have been paid to the Sicilian towns for corn purchased by the state; 3. exorbitant requisitions from the farmers, in lieu of the allowance of corn to which he was entitled for his own use as praetor.

1. 2. *Servilem in modum*; slaves alone being liable to torture or crucifixion, which last punishment Verres had inflicted, under circumstances of peculiar enormity, on P. Gavius of Consa, a Roman citizen. See Act. 2. 5. cc. 61 foll., and cp. especially c. 66, 170: '*Facinus est*

*vincire civem Romanum, scelus verberare, prope parricidium necare: quid dicam in cruce tollere?*'

1. 8. *Classes*. A Roman fleet of seven ships under Cleomenes had been destroyed by a pirate force under Heracleo, mainly owing to the condition of the crews, of whom a large portion had purchased their discharge from Verres, and the remainder were starving for want of provisions. See Act. 2. 5. cc. 33 foll.

1. 11. *Regum*. Verres carried off a picture, representing a cavalry engagement of Agathocles, from the temple of Minerva at Syracuse (Act. 2. 4. 55. 122), and some trappings which had belonged to Hiero, from Phylarchus of Centuripa (Ib. 12, 29).

1. 12. *Imperatorum*. Notably M. Claudius Marcellus, who erected statues of himself and his son at Syracuse: and Scipio Africanus the younger, who restored the monuments which the Carthaginians had destroyed or carried away (Act. 2. 2. 21, 50; and 2, 3).

1. 17. *Adfabre*, 'artistically.' The word does not appear to occur again in classical Latin.

1. 19. *Commemorare . . . deterreor*. The infinitive appears to be used with *deterreor* only here and in c. 9, 24: '*Agere . . . deterrebar*;' and nowhere with the active voice. See *Madv.* § 390.

1. 22. *At enim, &c.*, 'but all this, you will say, requires proof.'

1. 24. *Quin*, for '*qui non*;' see *Madv.* § 440 a. Obs. 3.

1. 29. *Mecum recognoscere*, 'to go over in review with me.'

c. 6. *In preparing for his trial, whilst he endeavoured to dazzle Cicero's eyes by the names of his great friends, he really rested his hopes on the perfection of his measures for corruption. The integrity of the jury actually empanelled dashed these hopes to the ground for a time, but they revived when he found that Q. Hortensius and Q. Metellus were elected consuls for the ensuing year.*

P. 28, l. 1. *Inania nobilitatis*, 'an empty pretence of noble names:' not that the noble names were worthless, but that putting them forward was merely to divert the attention of Cicero from his real devices. Hence '*simulat se . . . confidere*.'

1. 3. *Nobiles . . . noti*, i.e. their nobility of birth is more than outweighed by the notoriety of their character. *Nobilitas* is a technical term, applied to those who had the *ius imaginum*, through one of their ancestors having held a curule office.

1. 8. *Redemptio*, 'the contract for bribing the jury.' Cp. in Pis. 36, 87: '*Quid ego rerum capitalium quaestiones, reorum pactiones, redemptiones proferam*.' On Verres' return from Sicily, some bribery agent undertook for a specified sum to bear him harmless in case of an indictment for extortion. The contract, once made, remained subject to the terms and agreement upon which it had been made ('*in ea condicione*

atque pacto'), till it was entirely repudiated by the contractor, when he found what an impracticable jury he had to deal with. The character of the jury was due to a combination of good fortune and care; a respectable panel having been drawn by lot, and objectionable individuals on it removed by a judicious exercise of the right of challenge.

l. 15. *Libelli, &c.* 'The lists of all your names, comprising the whole jury, were made public.' This was required by the *Lex Acilia*, evidently for the purpose of preventing personation.

l. 16. *Nulla nota, &c.* It was impossible to tamper with these votes, by giving stained voting tablets to bribed jurors, in order to see whether they fulfilled their corrupt agreement.

l. 17. *Ex alacri atque laeto*, 'from being lively and in good spirits.'

l. 20. *Comitiis . . . factis*. Now that Hortensius and Metellus are elected consuls.

l. 21. *Vetera consilia*, of bribing and delay, the old contractors being once again called into action.

l. 24. *Argumento indicioque*, 'hint and token;' 'argumentum' being some antecedent which made it probable that such a course would be adopted; 'indiciū' some piece of evidence to show that Verres was actually following it. The two terms answer to the Greek *εικόνη* and *σημείον*.

l. 25. *Aperto suspitionis introitu*, 'when the door to suspicion was once opened.'

c. 7. *When the result of the elections became known, Verres was openly and publicly congratulated, as though his acquittal were now certain through the influence of Hortensius.*

l. 29. *C. Curio*, an intimate friend of Cicero's, consul in B.C. 76.

l. 30. *Honoris causa*, 'whom I would have you understand that I name with all respect,' a usual formula when living persons are spoken of by name, so that no especial compliment is thereby intended. Cp. *de Imp. Cn. Pomp.* 19, 58.

l. 32. *Tam aperte palamque*, 'with so little reserve in such a public place.'

P. 29, l. 1. *Dignitatis illius*, as consular.

l. 2. *Fornicem Fabianum*. This arch, erected by Q. Fabius Maximus Allobrogicus, in commemoration of his victory in Auvergne in B.C. 121, appears to have crossed the *Via Sacra* near the Temple of Vesta.

l. 6. *Renuntio . . . tibi*, 'I proclaim to you;' the word being probably chosen as being technically appropriate for declaring the result of an election.

l. 8. *Defertur*, 'is duly reported to me,' though, he goes on to say, no formal report was needed, as every one he met was full of it.

l. 11. *In criminum ratione*, 'in the management of the charges.'

l. 16. *Nulla esse iudicia*, 'that any one might see distinctly that the courts no longer had a real existence.' Cicero carefully puts this insinuation before the jury as coming from his acquaintances rather than from himself.

l. 19. *Negotiatores*. In the time of the Republic 'negotiatores' were distinguished from *mercatores* as being necessarily Roman citizens: a distinction which was subsequently lost. The term would include our bankers and wholesale merchants.

l. 22. *Existimationem*, 'the general feelings of the Roman people;' a kind of influence that as avowedly had its weight in an Athenian or a Roman court of law, as it is jealously excluded from our own.

l. 23. *Moderatione*, 'on the discretion.'

cc. 8, 9. *Measures were immediately taken for systematic bribery, partly with a view to the postponement of the trial, partly to hamper Cicero by opposing his election as aedile. From the latter embarrassment he was freed by the generous support which the Roman people gave him: but he saw great dangers in the way, not only through the projected delay of the trial, but also from attempts made by Q. Metellus, the consul elect, to intimidate the Sicilian witnesses.*

l. 25. *Optimus . . . quisque*. The superlative with 'quisque' generally conveys an idea of proportion. 'The more excellent a man was, the more certainly he would say to me.'

l. 26. *Nos*, 'we senators.'

l. 28. *Recusare, &c.*, 'to oppose the transference of the *iudicium* to the knights.' Cp. *Act. 2. 1. 2, 6*: 'Sin absoluitur, desinemus nos de iudiciis transferendis recusare.'

l. 29. *Amplissimi*, 'a man of such high position as C. Curio.'

l. 31. *Voltu tegere*, 'to avoid betraying it by the expression of my countenance.'

l. 33. *M. Metello*, brother of the consul elect, and equally a friend of Verres. In determining by lot the provinces of the eight praetors for B.C. 69, it fell to him to preside over the court which took cognizance of extortion (*quaestio perpetua de rebus repetundis*), and this gave Verres an additional motive for wishing to postpone the trial.

P. 30, l. 4. *Neque tamen tanto opere . . . intellegebam*, 'and yet I could not understand in its full extent what grounds I had for apprehension.' The excitement showed that there was something wrong, but its full meaning was difficult to fathom.

l. 6. *Fiscos*, 'baskets full of money.' Cp. *Phaedr. 2. 7. 2*:—

'Unus (mulus) ferebat fiscos cum pecunia.'

l. 8. *Ex his* must mean, somewhat irregularly, out of the whole number with which the senator had in the first instance been entrusted, not out of those which he had taken to the knight.

l. 9. *Comitiorum meorum*. Sc. his election to the aedileship, as it is explained in the next section.

*Divisores*. Bribery was so completely reduced to a system at Rome, as to have a technical phraseology of its own. These 'distributors' were the men who were told off to distribute the bribes in the several tribes.

l. 11. *Omnia . . . debere*, 'were bound to do anything.'

l. 14. *Proximis*, to secure the election of Hortensius and the two Metelli.

l. 15. *Continuo*, 'on the spot.'

l. 19. *Romilia*, sc. tribu. This was one of the original country tribes left after the invasion of Porsenna. Cp. Act. 2. 2. 43, 107: 'C. Claudius C. F. Palatina.'

l. 20. *Disciplina*, a term borrowed from the schools of philosophy: 'from a first-rate school of distributors.'

*HS quingentis milibus*. HS, probably for IIS, or  $2\frac{1}{2}$ , rather than for LLS (libra libra semis), is the ordinary notation for a sestertius; the third unit, as the name denotes, being only a half. It was always  $2\frac{1}{2}$  asses, or a quarter of a denarius, but differed in value with the fluctuation in the value of money. In Cicero's time it may be estimated at about  $2\frac{1}{2}d.$ , so that the 'sestertium' or sum of 1000 sesterces may be roughly taken as worth £9. Cicero's defeat was therefore considered likely to cost nearly £4500.

c. 9. l. 25. *Perexiguo*. This he presently explains by the immediate proximity of his own election and the trial of Verres, for both of which this money was being actively employed: and each distracted his thoughts from the other. The pressure of time may be appreciated when we remember that the election of consuls, followed by that of praetors, was on July 27, and that the trial, which was subsequent to the election of aediles, began on Aug. 5.

l. 26. *Oppugnabar*, 'my position was being assailed.'

l. 28. *Agere . . . deterrebar*. See on p. 27, l. 19.

l. 31. *Ratio non erat*, 'it was out of all reason.' Cp. pro Caec. 5, 15: 'Nullam esse rationem amittere eiusmodi occasionem.'

l. 32. *Districtum atque obligatum futurum*, 'should be hampered and preoccupied in every direction.' This mode of forming a future infinitive passive, by the use of the past participle with futurum or fore, is not sufficiently noticed in the grammars. It is especially common in Cicero's Epistles, and has frequently though not invariably a future perfect sense. See Madv. § 410, Obs. 2.

l. 33. *Primum ab Hortensio*. Afterwards (§ 27) by Metellus, to whom they paid somewhat more heed.

P. 31, l. 1. *Siculos, &c.* The grammar of this sentence is obscure. The main accusative with the infinitive depends on audio; and would

naturally have been followed by quos (= et eos), non venisse (Madv. § 402 a), but the subject of venisse and intelligeret being the same persons, the relative is expressed in the nominative with the dependent verb, instead of in the accusative with the leading verb. We should naturally use the demonstrative in both cases; 'the Sicilians showed their independence, and declined to come when they learned the reason of the summons.' If 'qui' had any causal force, 'venissent' would be a necessary emendation.

l. 5. *Coepta sunt*; so more usually than 'coeperunt,' when followed by a *passive* infinitive. See Madv. § 161.

l. 7. *Convenire*. The Pseudo-Asconius gives this a technical meaning, 'quasi de promissorum debito:' but as the word is nowhere else used in this legal signification in classical Latin, and as the ordinary meaning gives good sense, it is probable that Cicero only means 'he addresses and calls on all the distributors.'

l. 9. *Ut . . . ne*. This old form of the negative is commonly used after 'ut' consecutive. Cp. c. 17, 52: 'Ut ne quis te possit demovere.'

*Deducere*, if bestowed on myself, *deicerer*, if it were used to corrupt the tribes.

l. 14. *Ducetur*, 'should be spun out.' So 'ducturos,' c. 10, 31.

l. 15. *M. Metellum*. Of M. Metellus we know nothing except what is told us here of his praetorship. His brother Lucius, after a just and prudent administration of the praetorship in Sicily, was elected consul for B.C. 68, but died in the beginning of the year.

l. 17. *Non solum*, 'and not Hortensius alone, but also Q. Metellus.' The unusual position of 'non solum' following 'Hortensium consulem,' is to give emphasis to the importance which Verres attached to the consulship of Hortensius.

l. 18. *Praerogativam*, 'an earnest of his goodwill.' At the election for consuls so much importance was attached to the first vote, that it was determined by lot which century should vote first, and this was called 'praerogativa centuria.' From the influence which this vote had in determining the rest, a significant beginning in any procedure came to be called, as here, 'praerogativa.' Here Cicero plays on the double meaning of the word, in a manner which cannot be reproduced in another language. 'In this earnest of his goodwill he seemed at once to have repaid Verres for purchasing the votes which determined his election.'

l. 24. *Propterea quod . . . esset*. The subjunctive, because not only the fact, but its influence on their minds, is alleged as the cause of their coming. 'Because they felt that he was praetor in Sicily.'

l. 25. *Se consulem esse*. Actually only consul elect.

l. 26. *Obtinere*, was in possession of.

c. 10. *With the trial postponed Verres had every ground for hope. He would substitute a friendly for an upright judge, and would get rid of sundry jurymen who were too honest for his purposes. And owing to the fact that one set of Games after another was impending, he had a reasonable prospect of spinning out the preliminary proceedings till the end of the year.*

l. 29. *Iudicium corrumpere*, 'to bring about a failure of justice,' in a more general sense than in c. 2, where it seems to mean 'to corrupt the iudices.'

l. 31. *Non solum auctoritate*, 'not only by the weight of your personal authority, but by the awe with which your office inspires them.'

l. 32. *Duorum praetorum*, i.e. of M. Metellus in Rome, and L. Metellus in Sicily.

P. 32, l. 4. *Non fato*. An obvious allusion to the line, commonly but erroneously attributed to Naevius (who died some fifty years before the consulships of the Metelli),

*Fato Metelli Romae fiunt consules,  
for which Q. Metellus is said to have taken vengeance by the retort,  
Dabunt malum Metelli Naevio poetae,  
and by throwing the poet into prison.*

l. 5. *Quaesitor*, 'the president of the court.'

l. 8. *M'. Glabrio*. The merits of Glabrio as praetor seem to have been rather negative than positive. He was upright and independent, but inclined to be lazy and negligent. Cicero says (*Brut.* 68, 239) that the good education which he received from his grandfather was neutralized by his own sluggishness and want of energy; and this was borne out by his inefficiency in his consulship, when he succeeded L. Lucullus in carrying on the war with Mithridates, B.C. 67.

l. 9. *Illud*, 'the following advantage.'

*M. Caesonius* was Cicero's colleague in the aedileship for the ensuing year, and therefore could not then have sat upon the jury.

l. 13. *In Iuniano consilio*, 'on the jury over which C. Iunius presided.' C. Iunius, as praetor in B.C. 74, presided at the trial of Oppianicus and others for attempting to poison A. Cluentius. Their acquittal was procured by such open bribery, that C. Iunius, who was implicated, was obliged to retire from public life, and *Iunianum consilium* became proverbial for an unjust judgment. Cp. *Act.* 2. i. 61, 159.

l. 15. *Q. Manlius* is otherwise unknown. *Q. Cornificius* was a candidate against Cicero for the consulship. It is not known for certain at what time of year these tribunes entered upon office, but probably in December.

l. 18. *Magistratum*, perhaps the quaestorship.

l. 19. *M. Crepereius*. Notwithstanding Cicero's eulogy on the family, we hear nothing else of it during the Republic.

l. 20. *L. Cassius*. Of this man we know nothing, unless he is the

same as one of Cicero's competitors for the consulship. The allusion to his family evidently refers to L. Cassius Longinus, whose *Lex Tabellaria* in B.C. 137 introduced the ballot in the *Iudicium Populi*. As a judge he was noted for his impartial severity, and Cicero is especially fond of quoting the question which he used to ask, 'Cui bono?' 'who had a motive for the crime?' See *Phil.* 2. 14, 35; *pro S. Rosc. Amer.* 30, 84, &c.

l. 22. *Veteres*, perhaps 'veterans;' with experience in the work.

l. 23. *Tribuni militares*, the chief officers in the legions, to each of which there were six.

l. 24. *Subsortiemur*, 'we shall appoint by lot to fill the vacancy.' So 'subrogare,' 'to elect into a vacant place.'

l. 25. *Secundum*, in the most literal sense of the word, 'following after.'

l. 28. *Nonae . . . Sextiles*, the 5th of August.

l. 29. *Hora octava*. The Roman day being divided into twelve hours, computed from sunrise to sunset, the eighth hour in the beginning of August would begin about twelve minutes past one in the afternoon. As the ninth was the ordinary dinner hour, it is clear that the day was pretty nearly gone before they set to work.

l. 30. *Ludos votivos*, special games, in fulfilment of some vows. These were for Pompey's victory over Sertorius.

l. 32. *Continuo*, 'without an interval.' Cicero appears here to be treating as one festival the *Ludi Magni*, from the 4th to the 12th of September, and the *Ludi Romani* in Circo, which followed them at two days' interval, and lasted from the 15th to the 18th. See *Phil.* 2. 43, 110. If the *Ludi Votivi* began on August 14th, ten days inclusive reckoning from the time that Cicero was speaking, this would give thirty-six days of nearly continuous games.

P. 33, l. 2. *Excusando*, 'with pretences for not going on with the defence:' such as illness, or a death in the family, or the like.

*Ad ludos Victoriae*. These were instituted by Sulla in B.C. 82, to commemorate his victory over the Samnites under Pontius of Telesia before the Colline gate. They were celebrated annually on Oct. 27.

l. 3. *Plebeios*. The *Ludi Plebei* were probably in commemoration of the reconciliation between patricians and plebeians after the first secession to the Mons Sacer in B.C. 494. They were on Nov. 4-17.

l. 4. *Refrigerata*, 'with all its interest grown cold.'

l. 8. *Iurato*. As iudex Metellus would be on his oath, but not as praetor: and Cicero says he would rather trust his honesty in giving a single vote under oath, than in scrutinizing those of all the jury when under no such obligation. 'Iuratus' is not infrequently used thus as a middle participle, of one who has bound himself by an oath; cp. c. 13, 40, 'Iuratorum hominum:' and in the silver age the finite verb is



similarly used as a deponent. Even in Cicero we find the perfect 'iuratus sum.'

c. 11. *Cicero now unfolds his own intentions, showing that the necessity for promptitude made him abandon all idea of making an elaborate speech, and confine himself at present to producing evidence.*

l. 13. *Meo legitimo tempore*, 'all the time allowed me by law,' which according to the Scholiast was twenty days.

l. 17. *Elabatur*, 'slip out of my toils.'

l. 19. *Abseonditum*, 'recondite,' or 'abstruse.'

l. 20. *Perpetua oratione*, 'a continuous speech,' unbroken by evidence or production of documents.

*Percipi potuit*, 'might have been gained.'

l. 22. *Auctoritatibusque*. See on p. 25, l. 13.

l. 23. *Te mecum . . . contendere*, 'if I thought it simply a trial of strength between you and me.'

*Ex istius tempore*, &c., 'to make the time fit in with the requirements of the defendant's case.'

l. 27. *Malitiose*, 'unscrupulously.' Cicero defines 'malitia' as 'versuta et fallax ratio nocendi,' Nat. Deor. 3. 30, 75.

l. 28. *Tua ratio*, 'your scheme.'

l. 29. *Secundum binos ludos*, 'after the Ludi Votivi of Cn. Pompeius and the Ludi Romani.' The distributive numeral is used because 'ludi,' of a single set of games, is plural. So 'binae litterae,' Att. 6. 1, 9.

l. 30. *Comperendinem*, 'reach the "comperendinatio."'' When the prosecutor and defendant had each set his case before the 'iudices,' it was the practice in capital and other serious cases, including those of 'repetundae,' to adjourn the further hearing for two days, 'rem comperendinare.' The prosecutor then had the right of reply to the defendant's case, and the defendant might answer him again. This constituted the Actio secunda, and it is at this stage that the later speeches against Verres would have been delivered, had not the flight of Verres rendered them unnecessary.

c. 12. *The cause might have been too simple to do him much credit, had there not been arrayed on the other side the overbearing arrogance of Hortensius, and all the apparatus of bribery. This system was so odious to him, that he was determined during his aedileship to employ all his energies in securing its extinction.*

P. 34, l. 2. *Recepissem*, 'had undertaken;' 'recipio' in this sense always implying that the undertaking was at the request of some one else. Cp. Div. in Caec. 8, 26: 'Ego in hoc iudicio mihi Siculorum causam receptam, populi Romani susceptam esse arbitror.' In l. 4 he uses the more general word 'suscepto.'

l. 9. *Ista tua intolerabilis potentia*. So Cicero says, Div. ad Caec. 7. 24: that if the 'iudicia' were transferred to a more upright and more experienced body, Hortensius would no longer be able to bribe them, and that he saw in this case 'sese in iudiciis diutius dominari non posse.' The Scholiast says that a special allusion is made to the trial of Terentius Varro, the cousin of Hortensius, for extortion in Asia.

l. 10. *Cupiditas*, 'partiality;' a sense not unfrequently attaching both to the substantive and adjective in Cicero: cp. pro Planc. 17. 43: 'Voluntas . . . quam Alsus sine ulla cupiditatis suspitione prae se fert;' pro Caec. 3. 8: 'Iudex cupidior quam sapientem iudicem esse aequum est.'

l. 12. *Dominatio*, the regular word for 'tyranny,' and so no less odious in Roman ears than 'regnum.'

l. 19. *Ordo*, sc. senatorius.

*Improbitate . . . infamia*, 'through the unscrupulous audacity of some few individuals is crushed and overwhelmed by the disgrace of the judicial decisions.'

l. 21. *Odiosum*, perhaps 'courting their hatred,' which his assiduity could not fail to secure. The word nowhere appears to be used in an active sense, as though it were 'full of hatred towards them.'

l. 22. *Quod agam in magistratu*, 'as the business of my aedileship.'

l. 23. *Ex eo loco*, sc. in the senate, to which his aedileship gave him entrance in the ensuing January.

l. 25. *Munus*, 'exhibition;' with a punning allusion to the games which the curule aedile was called upon to provide.

l. 27. *Deponere*, &c. These are all technical words in the science of bribery. *Interpres* are the agents by whom the negotiations are carried on; *sequestres* the responsible persons with whom the promised money is deposited, '*deponitur*,' till duly earned by the person bribed; *recipere* is used of the principal who undertakes to pay the money, and is slightly stronger than *polliceri*, with which it is elsewhere joined, cp. Att. 13. 1, 2: 'De aestate polliceris vel potius recipis.' *Accipere* is probably merely the final act of receiving; introduced, somewhat out of place, for the sake of the jingle with '*recipere*.'

c. 13. *The justice of his cause would more than outweigh any consular influence, when he came to point out in detail the corruption of the senatorial iudices, as contrasted with the integrity of the knights.*

l. 32. *Cum summo imperio et potestate*, 'with full military and civil power.' The former, which is described elsewhere by Cicero, Phil. 5. 6, 45, as the power 'sine quo res militaris administrari, teneri exercitus, bellum geri non potest,' could not be exercised by any magistrate except a dictator within the city walls.

P. 35, l. 5. *Agentur*, 'will be actually represented.'

l. 5. *Inter decem annos*; since by the Lex Cornelia, in B.C. 81, Sulla transferred the 'iudicium' from the equites to the senate.

l. 9. *Prope quinquaginta*. As a matter of fact it was only forty-one, the equites having gained the 'iudicium' by the Lex Sempronia of C. Gracchus, in B.C. 123: so that Cicero exaggerates the tenure of the equites, while he reduces that of the senate from eleven years to ten.

l. 10. *Equite Romano iudicante*, 'while the Roman knights retained the *iudicium*': eques being apparently used for equites, as it often is in the sense of cavalry. Or it might be, 'in no judge from the ranks of the knights while exercising his judicial functions.'

l. 13. *Sublata . . . potestate*. Partly by the restrictions on the tribunical power (cp. 16, 46), but mainly by Sulla's extension of the *quaestiones perpetuae*, or special courts of justice to the trial of criminal cases, whereby the judicial power previously possessed by the popular assemblies was considerably curtailed. See Merivale, Fall of Rom. Rep. p. 142. There appears to have been no appeal to the people from the decisions of these 'quaestiones perpetuae.'

l. 14. *Minoris HS tricenis*, 'for less than 3,000,000 sesterces,' or about £27,000. See on p. 30, l. 20. 'Sestertium' was originally a genitive plural from sestertius, depending on 'centena millia' understood. The Romans had no direct mode of counting above 100,000, so that for larger sums they used multiples of this, expressed by its combination with the numeral adverbs. In course of time the constant 'centena millia' was omitted, and the genitive plural came to be looked on as the main substantive, declined, and having its case determined by its position in the sentence. Here HS tricies, which would strictly be for 'sestertium (=sestertiorum) centenis millibus tricies,' would be first abbreviated into 'sestertium tricies,' and then changed, by a mistake in the grammar of the condensed expression, into 'sestertio tricies.' Calpurnius, who was condemned in B.C. 77, for extortion in his province in Spain, seems to have meant that it was a mean thing in the jury to condemn a man of his position for so paltry a bribe as they had received. Zumpt takes HS xxx to mean 'sestertiis triginta,' 'less than thirty sesterces apiece.'

l. 17. *Lis aestimata sit, &c.*, 'the penalty inflicted on him was assessed on the understanding that he had been bribed:' i.e. apparently, that the money received as a bribe was included in the extortionate gains which he was required to disgorge. P. Septimius Scaevola was condemned for extortion in B.C. 72, and in further comment on his case in pro Cluent. 42, 115, Cicero again implies that he had been treated with additional severity because he was known to have been bribed in the trial of Oppianicus B.C. 74.

l. 19. *C. Herennio, &c.* Of the circumstances of Herennius' con-

demnation nothing further is known. As C. Popilius and M. Atilius Balbus and the senators referred to lower down were on the jury that condemned Oppianicus, it is reasonable to suppose that Herennius belonged to the same bench.

l. 20. *Peculatus*, 'embezzlement of public money.'

*De maiestate*, or 'maiestatis' (cp. pro Cluent. 39, 97: 'Balbus est condemnatus; adde maiestatis'), 'of treason.' The crime of 'maiestas' is defined by Cicero, de Invent. 2. 17, 53, as 'De dignitate aut amplitudine aut potestate populi, aut eorum quibus populus potestatem dedit, derogare.'

l. 23. *Sortiente*, sc. 'iudices:' i.e. appointing by lot the jurymen who were to try the special case. This would be part of his regular functions as city praetor.

*Exirent in eum reum*, 'gave their vote against a defendant whom they condemned without hearing the evidence.' This accusation is brought against C. Fidiculanus Falcula in pro Caecin. 10, 29; pro Cluent. 41, 113: and though in the latter passage Cicero acknowledges that he was acquitted of the charge, yet he says that this does not prove his innocence. It would appear that Falcula, having been among those who were chosen by lot to supply chance vacancies on the jury (*subsortiti*), had only taken his place on the bench too late to hear the evidence; and moreover that his *subsortitio* was in itself irregular, as he did not belong to the panel (*decuria*) which was appointed to try the case.

l. 25. *Senator*. C. Staienus; see pro Cluent. 36, 100. Staienus appears not only to have been individually bribed by Oppianicus, but to have been his agent for bribing the rest of the jury.

l. 29. *Hoc factum esse . . . ut*. For this periphrastic use of *facio*, to add weight and length to an apodosis, see Madv. § 481 b.

l. 30. *Discoloribus signis*, 'marked with wax of different colours;' so that each man's vote might be traced home to him, and it might be seen whether he had earned his bribe.

c. 14. *So flagrant was the venality of the law courts at the present day that Verres openly avowed that his last year's plunder had been accumulated for the express purpose of bribing the jury: and it seemed probable that the provinces would soon petition against any more trials for extortion, as only leading to their own more thorough spoliation.*

P. 36, l. 4. *Cuius fiducia*, 'in reliance upon whom.' The allusion is to Hortensius.

l. 6. *Secum praeclare agi*, 'that he should say it was not a bad stroke of business:' lit. 'that matters were being admirably transacted by himself with himself,' he being both principal and agent in the transaction. Cp. Act. 2. 3. 50, 119: 'Intellegat secum esse actum pessime.'

l. 6. *Distributum habere*, practically = 'distribuise.' For the auxiliary construction, cp. Catull. 17. 2, 'et salire paratum habes.'

l. 10. *Illud dicere*, 'to make the remark' which he goes on afterwards to quote, viz. 'me arbitrari fore,' &c.

l. 11. *Quod . . . cum commemorassem*, 'on my quotation of which before the praetor.'

l. 18. *Advocatis*, 'his supporters,' whether as 'iurisconsulti,' to instruct the pleaders on points of law, or simply as men of influence, aiding him by their countenance in court. The 'advocates,' in the modern sense of the word, would be included under 'patroni.'

l. 21. *Nocentissimi*, 'of so deadly a despoiler.'

l. 22. *Existimationem*, 'opinion herein expressed;' 'existimare' being commonly 'to express an opinion.'

l. 26. *Maiore . . . odio*. This would more commonly be 'maiore in odio' (cp. de Imp. Cn. Pomp. 22, 65), but the preposition seems here omitted for the sake of distinction from 'in avaritia,' &c. below.

c. 15. *It was the hopelessness of obtaining justice under the present arrangements, which had made the people so anxious to have the tribunicial power reestablished, as was clearly shown when Cn. Pompeius proposed its restoration.*

l. 30. *Cui loco*, 'for which situation.' Mr. Long takes 'loco' in a more technical sense, 'for which part of the subject of discourse.'

l. 33. *Nulla in iudiciis, &c.*, 'as our tribunals are constituted, they are pronounced to be wanting in severity, in regard for religious obligations, in everything, in short, which the word tribunal implies.'

P. 37, l. 3. *Flagramus*, 'we are already being consumed in the flames of a ruinous and lasting infamy.'

l. 5. *Requisivit*. The restoration of the tribunicial power was attempted by M. Aemilius Lepidus, in B.C. 78, immediately after Sulla's death; and was effected by Cn. Pompeius, at the beginning of his consulship in B.C. 70.

*Poscebat*, the indicative, because it merely marks the moment of the demand.

l. 7. *Q. Catulum*. This Catulus was the colleague of Lepidus in the consulship, B.C. 78. Throughout this period he was one of the most eminent and most upright leaders of the aristocratic party.

l. 9. *Referente*, 'bringing forward a motion.' It would be his further duty as consul 'sententias rogare,' 'to put the question' to the senators individually.

l. 10. *Patres conscriptos*, 'the senators,' properly 'patres et conscriptos,' the original senators, and those who were enrolled to supply vacancies; the term dating from the time of the expulsion of the kings. See Liv. i. 2.

l. 12. *Existimationi*, 'the requirements of the Roman people.'

l. 15. *Contionem*. See on p. 23, l. 10.

*Ad urbem*, 'before the city,' into which he could not enter without laying down his *imperium*, and thereby forfeiting his claim to a triumph for his victory over Sertorius.

l. 17. *In eo*, 'in his honour.' 'Strepitus' would appear to be a hum of approbation, as opposed to the loud acclamations, 'maximus clamor,' with which his subsequent declaration was received.

l. 21. *Tum vero* commonly introduces a climax; the fully developed phenomenon to which previous events have been gradually working up. In this use it is especially a favourite expression with Virgil.

c. 16. *The present trial would be accepted as a test case, to prove whether there is any possibility of an honest verdict under the existing system. The senate could not possibly furnish a better jury, the prisoner was at once the richest and most infamous of criminals. It should be Cicero's own part so to marshal the evidence as to leave no loophole for acquitting him.*

l. 23. *In speculis sunt*, 'are on the watch.' Cp. pro Mur. 37, 79: 'Ab illo in speculis atque in insidiis relictis in capite atque in cervicibus nostris restiterunt.'

l. 26. *Post legem tribuniciam*. This was the law of Cn. Pompeius, B.C. 70, restoring to the tribunes the power of which they had been deprived by Sulla. Cp. c. 13, 38.

*Vel tenuissimum*, 'of very slender resources indeed,' and therefore unable to bribe effectually. Hence though his condemnation ('quod') cannot be found fault with, yet it calls for no extravagant praise, since integrity is not a matter for boasting where there is no temptation. Who the senator in question was is not known. Asconius suggests Cn. Cornelius Dolabella, who was convicted of extortion in his province of Cilicia; but this must have been at an earlier date, and Dolabella could not have been called a poor man.

P. 38, l. 3. *Residere*, 'remain behind,' after the other possible explanations have been shown to be inadmissible. These were the influence of friends such as Hortensius, his relationship with the Metelli (cp. c. 8, 21), general good character, or even extenuation of the enormity of his guilt.

l. 5. *Sublevata esse*, 'to be softened down.' So 'causas offensionum elevare,' Lael. 24, 88.

l. 8. *Conetur contendere, &c.*, 'will even endeavour to prevail on you as a matter of favour.' Cp. pro Quinct. 24, 77: 'Cum a me, peteret et summe contenderet ut propinquum suum defenderem.'

l. 10. *Investigare et consequi*, 'to track out and overreach all their schemes.'

l. 13. *Conceptam huic ordini*, 'in which this order has involved itself,' the dative marking not the agent, but the body to which the injury was done. The whole expression is equivalent to 'ab hoc ordine in se conceptam.'

l. 15. *Post haec constituta iudicia*, 'since the establishment of our present jury system:—i.e. since the changes introduced by Sulla. For the construction see *Madv.* § 426.

l. 16. *Consilium*, 'body of jurymen.'

*Si quid erit offensum*, 'if any scandal shall occur.'

c. 17. *He therefore trusted that on the present occasion no scandal would arise, to call out his zeal in punishing the offence, and he earnestly entreated the praetor, M. Glabrio, to use all his influence, personal and hereditary, in order to secure an upright verdict.*

l. 21. *Opto*, 'I pray.' Cp. *Cat.* 2. 7, 15: 'Numquam ego a dis immortalibus optabo, . . . ut . . . audiat.''

l. 25. *Vim, &c.* 'the energy and perseverance required for bringing their iniquity to justice.'

l. 27. *Laboribus . . . meis*, 'at the cost of any toil or danger or personal animosity which I may incur.'

P. 39, l. 1. *Qui sis*, 'consider your character;' not 'who you are,' which would rather be 'quis sis.' The words are not in the MSS.

l. 2. *Paternae legis*. The *Lex Acilia de repetundis*, passed probably in B.C. 101, enacted that there should be neither *ampliatio* nor *comperendinatio*. See on p. 34, l. 30.

l. 3. *Fac . . . veniat in mentem*, 'call to mind your father's law.' The genitive is used after this impersonal expression from the analogy of its usage with personal verbs of remembering and forgetting, and is not due to any ellipse. See *Madv.* § 291, Obs. 3.

l. 5. *Auctoritates, &c.*, 'precedents, of such force as not to allow you to forget, &c.,' 'quae' marking the nature of the precedents, and so taking the subjunctive.

l. 10. *Avi Scaevolae*. Glabrio's mother was Mucia, the daughter of P. Mucius Scaevola, the famous jurist, consul B.C. 133.

*Quae . . . comparantur*. 'The plots which are being laid against the reputation of yourself and the members of the jury.'

l. 11. *Soceri Scauri*. Glabrio married Aemilia, daughter of M. Aemilius Scaurus, consul B.C. 115 and 107: and though the marriage had been dissolved by Sulla that she might marry Pompey, yet, as a son of the marriage survived, his affinity with the father of his divorced wife was held by Roman usage to remain in force.

l. 12. *Ut ne*. See on p. 31, l. 9.

*Praetore* and *consilio* are ablatives absolute; 'when the praetor is so upright and honourable, and the jury is carefully chosen.'

l. 14. *Noceanti reo*, a *dativus incommodi*, 'as bearing on a guilty defendant.' It is noticeable that Cicero conveniently assumes the guilt of his opponent for the purpose of his argument.

c. 18. *To prevent delay Cicero would set out his case, not in a long preliminary speech, but by the immediate production of his witnesses, commenting on their evidence as it was laid before the jury. For the present he would conclude with a formal statement of the indictment against Verres.*

l. 19. *Ut, quos, &c.* Hortensius had invited the Sicilians (see c. 9) to his house, with the obvious intention of bribing them. So long as he was a private individual, it was open to the Sicilians to act as they did, and refuse to go: but Cicero implies that if the trial were put off till the following year, then Hortensius would be able to avail himself of his official position, and as consul to send lictors who would force them to obey his summons.

l. 20. *Novo exemplo*. Bribery was usually practised in detail, Hortensius had wished to buy over the Sicilians as a body.

l. 23. *Eorum imperio*, 'by the authority of the consuls.'

l. 24. *Deplorandi iuris sui*, 'of lamenting the rights which they had lost.'

l. 26. *Tum . . . denique*, 'that our answer should only then be given.'

l. 30. *Comitiorum*. See on p. 30, l. 9.

*Ludorum*. See on p. 32, ll. 30 foll.

*Censendi*, 'for registration before the censors;' the word *censeo* expressing not only the action of the censors, in performing the act of registration, but also that of the citizen, in giving the necessary information. Cp. *pro Flacc.* 32, 80: 'In qua tribu denique ista praedia censuisti?'

l. 31. *Offensionis periculum vestrum*, 'the risk that you run of giving offence,' by delivering an honest verdict.

P. 40, l. 1. *Faciam hoc . . . ut, &c.* *Facio* is frequently thus followed by an explanatory clause, setting out more precisely the meaning of an object already expressed by a pronoun.

*Ab eis*, according to an old commentator, by the brothers L. and M. Lucullus, who when quite young prosecuted the augur Servilius (otherwise unknown), apparently in revenge for his having caused the death of their father.

l. 4. *Totum*, 'in its general outline.' It would appear that Cicero looked on the whole of the oration, as we possess it, in the light of an introduction, the proof of his case resting on the testimony of the witnesses, accompanied by a running commentary on their evidence, 'argumenta atque oratio,' the whole ending with a sort of summing up,

FIRST ACTION AGAINST GAIUS VERRES.

to show the bearing of the evidence on the indictment, 'testium ad crimen accommodatio.' It seems to be in this mixture of evidence and argument, giving opportunity to Verres and his counsel of replying to the several points as they occurred, that Cicero's method was to differ both from that ordinarily employed, and from that of the Luculli, who began by bringing forward all their witnesses.

1. 11. *Altera actio*, in the second *Actio*, the speeches of which were never delivered.

1. 16. *Tum praeterea*, 'in particular;' this being the actual charge in the indictment, which was merely aggravated by his general misdeeds.

1. 17. *Quadringentiens sestertium*, forty million sesterces, or about £350,000.

1. 18. *Auctoritatibus*, 'official documents.'

1. 20. *Nostro commodo*, 'to the utmost of my desire.'

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